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Wednesday  
October 29, 1997

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**Part XIV**

**Department of  
Transportation**

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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 97-8]

**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 April 25, 1997 (62 FR 21990). The next one is scheduled for publication in the **Federal Register** in April 1998.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

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 publishes 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

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which review has been concluded since the last agenda. The phrase (Section 610 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 June 10, 1997.

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

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subsequent to the issuance of this agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

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

#### 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 September 5, 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

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rulemaking process within the various operating administrations.

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

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

FHWA - Thomas Holian, Office of Chief Counsel, 400 7th Street SW., Room 4223, Washington, DC 20590; telephone: (202) 366-1383.

FRA - Elizabeth Fallace, Office of Chief Counsel, 400 7th Street SW., Room 8128, Washington, DC 20590; telephone: (202) 632-3169.

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: 10:00-5:00.

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: 10:00-5:00.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2159	+ Computer Reservations System Regulations Comprehensive Review ( <b>Section 610 Review</b> ) .....	2105-AC65

+ DOT-designated significant regulation.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2160	+ Proposed Policy on Peak Period Pricing of Airport Landing Fees .....	2105-AB63
2161	+ Accessibility of Passenger Vessels to Individuals With Disabilities .....	2105-AB87
2162	+ Transportation for Individuals With Disabilities (Over the Road Buses) .....	2105-AC00
2163	Domestic Baggage Liability .....	2105-AC07
2164	Governmentwide Debarment and Suspension (Nonprocurement) and Requirements for Drug-Free Workplace (Grants) .....	2105-AC24
2165	Fees and Charges for Special Services: Reinvention .....	2105-AC47
2166	+ Update of Drug and Alcohol Procedural Rules ( <b>Section 610 Review</b> ) .....	2105-AC49
2167	Privacy Act Exemptions .....	2105-AC60
2168	+ Domestic Passenger Manifest Information .....	2105-AC62
2169	Extension of Computer Reservations System Rules .....	2105-AC67

+ DOT-designated significant regulation.

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Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2170	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers .....	2105-AA40
2171	Air Travelers: Age Discrimination .....	2105-AA45
2172	Direct Flights .....	2105-AA73
2173	Diversion of Flights Within a Metropolitan Area .....	2105-AA78
2174	Simplified Aviation Exemption Procedures .....	2105-AA82
2175	Simplified Airline Counter-Sign Notices .....	2105-AA88
2176	+ Price Advertising .....	2105-AB50
2177	+ Procedures for Transportation Workplace Drug-Testing Programs .....	2105-AB71
2178	+ Passenger Manifest Information ( <b>Reg Plan Seq. No. 89</b> ) .....	2105-AB78
2179	Aviation Charter Rules .....	2105-AB91
2180	+ Disadvantaged Business Enterprise (DBE) Regulation; General Update .....	2105-AB92
2181	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations .....	2105-AC02
2182	Disclosure of Code-Sharing Arrangements and Long-Term Wet Leases .....	2105-AC10
2183	Use of Direct Final Rulemaking .....	2105-AC11
2184	Disinsection of Aircraft .....	2105-AC14
2185	Disclosure of Change-of-Gauge Services .....	2105-AC17
2186	Air Carrier Access Act: Miscellaneous Amendments .....	2105-AC28
2187	+ Computer Reservations System Regulations and Amendments .....	2105-AC35
2188	Overbooking of Flights: Elimination of Airport Notice Signs .....	2105-AC45
2189	Rules of Practice in Aviation Economic Proceedings: Reinvention .....	2105-AC48
2190	Amendments to Modal Alcohol Testing Rules: Pre-Employment Testing .....	2105-AC50
2191	+ Fair and Accurate Display of Airline Service in Computer Reservation Systems .....	2105-AC56
2192	Passenger Tariff-Filing Requirements Exemption .....	2105-AC61
2193	Civil Monetary Penalty Inflation Adjustment .....	2105-AC63
2194	Uniform Administrative Requirements for Grants and Cooperative Agreements: Common Rule .....	2105-AC66

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.  
 + DOT-designated significant regulation.

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2195	Policy Statement on Airline Preemption .....	2105-AA46
2196	Baggage Liability Notices in International Air Transportation .....	2105-AA84
2197	+ Statement of Enforcement Policy on Rebating .....	2105-AB39
2198	+ New Restrictions on Lobbying .....	2105-AB57
2199	Smoking Aboard Aircraft .....	2105-AB58
2200	+ Transportation for Individuals With Disabilities (Accessibility Guidelines) .....	2105-AC06
2201	Use of Oxygen by Air Carrier Passengers .....	2105-AC29

+ DOT-designated significant regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2202	Implementation of Amendments to the Equal Access to Justice Act .....	2105-AB73
2203	+ Participation by Disadvantaged Business Enterprises in Airport Concessions .....	2105-AB99
2204	Nonprocurement Debarment and Suspension .....	2105-AC25
2205	Changes to International Data Submissions by Large Air Carriers .....	2105-AC34
2206	Ticketless Travel: Passenger Notices .....	2105-AC36
2207	Classified Information: Revision .....	2105-AC51
2208	Maintenance of and Access to Records Pertaining to Individuals .....	2105-AC57
2209	Public Availability of Information .....	2105-AC58

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Office of the Secretary—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2210	Inspection and Copying of Department Opinions, Orders, and Records .....	2105-AC64

+ DOT-designated significant regulation.

U.S. Coast Guard—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2211	Review of Regulations on Boating Safety ( <b>Section 610 Review</b> ) .....	2115-AF52

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2212	Reporting Marine Casualties (CGD 91-216) .....	2115-AD98
2213	+ Facility Response Plans for Hazardous Substances (CGD 94-048) ( <b>Reg Plan Seq. No. 90</b> ) .....	2115-AE87
2214	+ Tank Vessel Response Plans for Hazardous Substances (CGD 94-032) ( <b>Reg Plan Seq. No. 91</b> ) .....	2115-AE88
2215	Numbering of Undocumented Barges (CGD 93-091) .....	2115-AF13
2216	Licensing and Manning for Operators of Towing Vessels (CGD 94-055) .....	2115-AF23
2217	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (CGD 95-015) .....	2115-AF38
2218	Conformance of the Uniform State Waterways Marking System with the United States Aids to Navigation System (CGD 97-018) .....	2115-AF45
2219	+ User Fees for Marine Licensing, Certificates of Registry, and Merchant Mariner Documents (CGD 97-049) .....	2115-AF49
2220	Amendment of State Waters for Private Aids to Navigation in Wisconsin and Alabama .....	2115-AF50

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

+ DOT-designated significant regulation.

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2221	Qualifications for Tankermen and for Persons in Charge of Transfers of Dangerous Liquids and Liquefied Gases (CGD 79-116) .....	2115-AA03
2222	Lifesaving Equipment—Implementation of 1983 Amendments to SOLAS 1974 (CGD 84-069) .....	2115-AB72
2223	+ Implementation of the Commercial Fishing-Industry Vessel Safety Act (CGD 88-079) .....	2115-AD12
2224	Permits for the Transportation of Municipal and Commercial Wastes (CGD 89-014) .....	2115-AD23
2225	Vessel Identification System (CGD 89-050) .....	2115-AD35
2226	+ Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068) .....	2115-AD66
2227	+ Security for Passenger Vessels and Passenger Terminals (CGD 91-012) .....	2115-AD75
2228	Amendments to Hull Identification Number Regulations (CGD 92-065) .....	2115-AE37
2229	Inland Navigation Rules; Lighting Provisions (CGD 94-011) .....	2115-AE71
2230	Alternate Compliance Via Recognized Classification Society and U.S. Supplement to Rules (CGD 95-010) ( <b>Section 610 Review</b> ) .....	2115-AF11
2231	Regattas and Marine Parades (CGD 95-054) .....	2115-AF17
2232	Streamlined Inspection Program (CGD 96-055) .....	2115-AF37
2233	Coast Guard Vessel Inspection User Fees (CGD 96-067) .....	2115-AF40
2234	Traffic Separation Scheme in the Approaches to Delaware Bay (CGD 97-004) .....	2115-AF42
2235	International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) (CGD 95-073) .....	2115-AF44
2236	Carriage of Bulk Solid Materials Requiring Special Handling (CGD 97-037) .....	2115-AF47
2237	Child Development Services (CGD 97-039) .....	2115-AF48

+ DOT-designated significant regulation.

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U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2238	Safety/Security Zone Regulations .....	2115-AA97
2239	Anchorage Area Regulations .....	2115-AA98
2240	Tank Level or Pressure Monitoring Devices (CGD 90-071) .....	2115-AD69
2241	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035) .....	2115-AD90
2242	+ Escort Vessels for Certain Tankers (CGD 91-202) .....	2115-AE10
2243	+ State Access to the Oil Spill Liability Trust Fund (CGD 92-014) .....	2115-AE19
2244	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (CGD 92-026) ..	2115-AE22
2245	Regatta Regulations .....	2115-AE46
2246	Drawbridge Regulations .....	2115-AE47
2247	+ Escort Vessels in Certain U.S. Waters (91-202a) .....	2115-AE56
2248	Notice of Hazardous Conditions (CGD 94-027) .....	2115-AE82
2249	Regulated Navigation Areas .....	2115-AE84
2250	Immediate Reporting of Casualties (CGD 94-030) .....	2115-AE89
2251	+ 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
2252	Propeller Injury Prevention Aboard Rental Boats (CGD 95-041) .....	2115-AF28
2253	Outer Continental Shelf Activities (CGD 96-068) .....	2115-AF39

+ DOT-designated significant regulation.

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2254	+ Offshore Supply Vessel Regulations (CGD 86-074) .....	2115-AA77
2255	+ Small Passenger Vessel Inspection and Certification (CGD 85-080) .....	2115-AC22
2256	Revision to Inflatable Life Raft Approval: SOLAS 74/83 (CGD 85-205) .....	2115-AC51
2257	+ Overfill Devices (CGD 90-071a) .....	2115-AD87
2258	+ User Fees for Approvals of Equipment, Laboratories, and Servicing Facilities (CGD 92-013) .....	2115-AE18
2259	Programs for Chemical Drug and Alcohol Testing of Commercial Vessel Personnel: Removal of Foreign Implementation Date (CGD 95-011) .....	2115-AF02
2260	Harmonization With International Safety Standards (CGD 95-028) .....	2115-AF10
2261	Electrical Engineering Requirements for Merchant Vessels (CGD 94-108) .....	2115-AF24
2262	Commercial Fishing Vessel Regulations (CGD 96-046) .....	2115-AF35
2263	Expanded Signature Authority to Officer in Charge, Marine Inspection (OCMI) (CGD 97-001) .....	2115-AF41
2264	Antarctic Treaty Environmental Protection Protocol (CGD 97-015) .....	2115-AF43
2265	Radar Requirements for Towing Vessels 300 Gross Tons or More (CGD 97-034) .....	2115-AF46
2266	+ Operational Measures to Reduce Oil Spills from Existing Tank Vessels Without Double Hulls (CGD 91-045) .....	2115-AF51

+ DOT-designated significant regulation.

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2267	+ Mountain Flying .....	2120-AF67
2268	+ Child Restraint Systems .....	2120-AG43

+ DOT-designated significant regulation.

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2269	Airworthiness Standards; Crash-Resistant Fuel Systems .....	2120-AA57
2270	Review of Part 47, Aircraft Registration, and Part 49, Recording of Aircraft Titles and Security Documents .....	2120-AC17

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## Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2271	+ Part 145 Review: Repair Stations ( <b>Section 610 Review</b> ) .....	2120-AC38
2272	Installation of Crashworthy Fuselage Fuel Tanks and Fuel Lines .....	2120-AC87
2273	+ Drug Enforcement Assistance .....	2120-AD16
2274	+ Revision of Part 107, Airport Security .....	2120-AD46
2275	+ Cost of Services and Transfer of Fees to Part 187 From Parts 47, 49, 61, 63, 65, and 143 .....	2120-AD91
2276	Visual Descent Points .....	2120-AE34
2277	+ Aging Aircraft Safety .....	2120-AE42
2278	+ Airport Noise Compatibility Planning ( <b>Section 610 Review</b> ) .....	2120-AE64
2279	+ Corrosion Control Program .....	2120-AE92
2280	Cincinnati, OH, Class B Airspace .....	2120-AE97
2281	Flight Attendant English Language Proficiency .....	2120-AE98
2282	Flight Operational Quality Assurance Program .....	2120-AF04
2283	+ Air Tour Standards .....	2120-AF07
2284	Revision of Certification Requirements: Mechanics and Repairmen .....	2120-AF22
2285	Normal Category Maximum Weight .....	2120-AF33
2286	+ Overflights of Units of the National Park System ( <b>Reg Plan Seq. No. 92</b> ) .....	2120-AF46
2287	+ Submission to Drug Tests .....	2120-AF64
2288	+ Passenger Facility Charges .....	2120-AF69
2289	Operational and Structural Difficulty Reports .....	2120-AF71
2290	Repair Assessment for Pressurized Fuselages .....	2120-AF81
2291	Bird Ingestion Standards .....	2120-AF84
2292	Two Approach Charts ( <b>Section 610 Review</b> ) .....	2120-AF86
2293	Non-Federal Air Traffic Control Facilities .....	2120-AF91
2294	National Security Areas .....	2120-AF97
2295	Revision of Certification Requirements: Aircraft Dispatchers .....	2120-AG04
2296	+ Duration Between Examinations for First- and Second-Airman Medical Certificates .....	2120-AG06
2297	Fees for Aeromedical Education Training Services .....	2120-AG07
2298	+ False and Misleading Statements Regarding Aircraft Parts .....	2120-AG08
2299	+ Security Programs of Foreign Air Carriers and Foreign Operators of U.S. Registered Air Carriers Engaged in Common Carriage .....	2120-AG13
2300	+ Licensing Operation of a Non-Federal Launch Site .....	2120-AG15
2301	+ Civil Aviation Security User Fees .....	2120-AG18
2302	Dispute Resolution Regulations .....	2120-AG19
2303	VFR/IFR Fuel Reserve Requirements: Island Destination Airports For Which No Alternate Airport Is Available .....	2120-AG29
2304	Certification of Security Screening Companies .....	2120-AG31
2305	Fees for Obstruction Evaluation Studies .....	2120-AG33
2306	+ Prohibition of the Transportation of Devices Designed as Chemical Generators as Cargo in Aircraft .....	2120-AG35
2307	+ Protection of Voluntarily Submitted Information .....	2120-AG36
2308	+ Licensing of Launch From Non-Federal Launch Site .....	2120-AG37
2309	+ Air Tour Operations in the State of Hawaii .....	2120-AG44
2310	Part 93 Subpart D—Anchorage, Alaska, Terminal Area .....	2120-AG45
2311	+ Enhanced Ground Proximity Warning System .....	2120-AG46

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.  
+ DOT-designated significant regulation.

## Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2312	Objects Affecting Navigable Airspace .....	2120-AA09
2313	+ Fuel System Vent Fire Protection .....	2120-AA49
2314	Miscellaneous Amendments .....	2120-AA50
2315	IFR Altitudes; Miscellaneous Amendments .....	2120-AA63
2316	Airworthiness Directives: .....	2120-AA64
2317	Standard Instrument Approach Procedures; Miscellaneous Amendments .....	2120-AA65
2318	Airspace Actions .....	2120-AA66
2319	+ Improved Standards for Determining Rejected Takeoff and Landing Performance .....	2120-AB17

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Federal Aviation Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2320	Low Fuel Quantity Alerting System .....	2120-AB46
2321	+ Improved Survival Equipment for Inadvertent Water Landings .....	2120-AC72
2322	+ Retrofit of Improved Seats in Air Carrier Transport Category Airplanes .....	2120-AC84
2323	+ Sole Radio Navigation System; Minimum Standards for Certification .....	2120-AD26
2324	+ Airworthiness Standards; Occupant Protection Standards for Commuter Category Airplanes .....	2120-AD27
2325	Airplane Engine Cowling Retention .....	2120-AD34
2326	1-G Stalling Speed as a Basis for Compliance With Part 25 of the Federal Aviation Regulations .....	2120-AD40
2327	+ Fatigue Evaluation of Structure .....	2120-AD42
2328	+ Revision of Part 108, Airplane Operator Security .....	2120-AD45
2329	Type Certificates for Some Surplus Aircraft of the Armed Forces .....	2120-AE41
2330	+ Reduced Altitude Separation .....	2120-AE51
2331	+ Aircraft Ground Deicing and Anti-Icing Program .....	2120-AE70
2332	+ Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules .....	2120-AE71
2333	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2120-AE81
2334	Civil Penalty Assessment Procedures .....	2120-AE84
2335	+ Revised Access to Type III Exits .....	2120-AF01
2336	Training and Qualification Requirements for Check Airmen and Flight Instructors .....	2120-AF08
2337	+ Training and Checking in Ground Icing Conditions .....	2120-AF09
2338	Los Angeles, CA, Class B Airspace .....	2120-AF16
2339	+ Revision of Emergency Evacuation Demonstration Procedures To Improve Participant Safety .....	2120-AF21
2340	Aviation Insurance ( <b>Section 610 Review</b> ) .....	2120-AF23
2341	+ Suspension of Certain Aircraft Operations From the Transponder With Automatic Pressure Altitude Reporting Capability Requirement .....	2120-AF30
2342	+ Flight Crewmember Duty Period Limitations, Flight Time Limitations, and Rest Requirements ( <b>Reg Plan Seq. No. 93</b> ) .....	2120-AF63
2343	Type Certification Procedures for Changed Products .....	2120-AF68
2344	Rain and Hail Ingestion Standards .....	2120-AF75
2345	Miscellaneous Cabin Safety Changes .....	2120-AF77
2346	Revision of Hydraulics Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes .....	2120-AF79
2347	Revision of Gate Requirements for High-Lift Device Controls .....	2120-AF82
2348	Braked Roll Conditions .....	2120-AF83
2349	Criteria for an Explosive Detection System (EDS), Standards for Detonator Detection .....	2120-AF95
2350	+ Commercial Space Transportation: Financial Responsibility Requirements for Licensed Launch Activities .....	2120-AF98
2351	+ Licensing Commercial Space Launch Activities .....	2120-AF99
2352	+ Policy and Procedures Concerning the Use of Airport Revenue .....	2120-AG01
2353	Fees for Providing Production Certification-Type Services Outside the United States .....	2120-AG14
2354	Revised Precision Approach Landing Systems Policy .....	2120-AG16
2355	+ Fees for Air Traffic Services for Certain Flights Through U.S.-Controlled Airspace and for Aeronautical Studies ..	2120-AG17
2356	Harmonization of Miscellaneous Rotorcraft Regulations .....	2120-AG23
2357	+ Employment History, Verification, and Criminal History Records Checks ( <b>Reg Plan Seq. No. 94</b> ) .....	2120-AG32
2358	+ Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park .....	2120-AG34
2359	+ Establishment of Corridors in the Grand Canyon National Park Special Flight Rules Area .....	2120-AG38
2360	Primary Category Seaplanes .....	2120-AG39
2361	+ Revised Standards for Cargo or Baggage Compartments in Transport Category Airplanes ( <b>Reg Plan Seq. No. 95</b> ) .....	2120-AG42
2362	Extension of SFAR 73; Robinson R-22/R-44 Special Training and Experience Requirements .....	2120-AG47
2363	+ Prohibition Against Certain Flights Within the Flight Information Region of the Democratic People's Republic of Korea .....	2120-AG48

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.  
 + DOT-designated significant regulation.

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2364	Aircraft Engines: Fuel and Induction Systems .....	2120-AB76

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Federal Aviation Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2365	+ Anti-Drug and Alcohol Misuse Prevention Programs for Employees of Foreign Air Carriers Engaged in Specified Aviation Activities .....	2120-AE79
2366	+ Controlled Rest on the Flight Deck .....	2120-AF54
2367	Bird Strike .....	2120-AF80

+ DOT-designated significant regulation.

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2368	Minimum Altitudes for the Use of an Autopilot .....	2120-AF19
2369	Revised Structural Loads Requirements for Transport Airplanes .....	2120-AF70
2370	+ Revisions to Digital Flight Data Recorder Rules .....	2120-AF76
2371	+ Special Flight Rules in the Vicinity of the Grand Canyon National Park .....	2120-AF93
2372	+ Placarding Certain Cargo or Baggage Compartments .....	2120-AG12
2373	Commercial Passenger-Carrying Operations in Single Engine Aircraft Under Instrument Flight Rules .....	2120-AG22
2374	Falsification of Security Records .....	2120-AG27
2375	+ Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan .....	2120-AG40
2376	Organizational Changes and Delegations of Authority .....	2120-AG41

+ DOT-designated significant regulation.

Federal Highway Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2377	+ Advanced Technology in Commercial Motor Vehicle Operations ( <b>Section 610 Review</b> ) .....	2125-AD65
2378	+ Qualifications of Motor Carriers to Self-Insure Their Operations and Fees to Support the Approval and Compliance Process .....	2125-AE06
2379	Winter Home Heating Oil Delivery State Flexibility Program; Hours of Service .....	2125-AE18
2380	English Language Requirement; Qualifications of Drivers .....	2125-AE19

+ DOT-designated significant regulation.

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2381	Periodic Inspection Requirements .....	2125-AC47
2382	Commercial Learner Permits and CDL Effectiveness .....	2125-AC54
2383	Revision of Medical Examination Form and Procedures .....	2125-AC63
2384	+ Minimum Training Requirements for Operators and Training Instructors of Multiple Trailer Combination Vehicles .....	2125-AC92
2385	+ Training for Entry-Level Drivers of Commercial Motor Vehicles .....	2125-AD05
2386	+ Commercial Driver Physical Fitness as Part of the CDL Process .....	2125-AD20
2387	+ Parts and Accessories Necessary for Safe Operation; Lighting Devices, Reflectors, and Electrical Equipment .....	2125-AD27
2388	+ Department of Transportation (FHWA, FTA, FRA and USCG) NEPA and Related Procedures for Transportation Decisionmaking .....	2125-AD32
2389	+ Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking .....	2125-AD49
2390	+ Hours of Service of Drivers; Supporting Document Recordkeeping .....	2125-AD52
2391	Safety Performance History of New Drivers .....	2125-AD66
2392	Railroad Grade Crossing Safety .....	2125-AD75
2393	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units .....	2125-AD76
2394	+ Hours of Service of Drivers ( <b>Section 610 Review</b> ) .....	2125-AD93
2395	Electronic Filing of Surety Bonds, Trust Fund Agreements, Insurance Certificates; Cancellations .....	2125-AD94
2396	Registration of For-Hire Motor Carriers, Property Brokers, and Freight Forwarders .....	2125-AE01

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Federal Highway Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2397	+ Development of a North American Standard for Protection Against Shifting and Falling Cargo .....	2125-AE05
2398	+ Federal Motor Carrier Safety Regulations; Hours-of-Service and CDL Exemptions .....	2125-AE09
2399	Minimum Levels of Financial Responsibility for Mexican Motor Carriers .....	2125-AE14
2400	+ Parts and Accessories Necessary for Safe Operation; Rear Impact Guards and Rear Impact Protection .....	2125-AE15

+ DOT-designated significant regulation.

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2401	Acquisition of Real Property for Rights-of-Way .....	2125-AC17
2402	+ Safety Fitness Procedures; Safety Ratings .....	2125-AC71
2403	Transportation of Hazardous Materials; Technical Amendments .....	2125-AD00
2404	+ Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires .....	2125-AD41
2405	Antilock Brake Systems .....	2125-AD42
2406	National Standards for Traffic Control Devices; Temporary Traffic Signals .....	2125-AD45
2407	National Standards for Traffic Control Devices; Metric Conversion .....	2125-AD63
2408	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties .....	2125-AD64
2409	Standards for Center Line and Edge Line Markings on Streets and Highways .....	2125-AD68
2410	Zero-Base Review of the Federal Motor Carrier Safety Regulations: Regulatory Removals and Substantive Amendments ( <b>Section 610 Review</b> ) .....	2125-AD72
2411	Federal-Aid Highway Systems .....	2125-AD74
2412	Mitigation of Impacts to Wetlands .....	2125-AD78
2413	Railroad Highway Projects .....	2125-AD86
2414	National Standards for Traffic Control Devices; Pedestrian, Bicycle, and School Warning Signs .....	2125-AD89
2415	General Jurisdiction Over Freight Forwarder Service .....	2125-AE00
2416	Certification of Speed Limit Enforcement .....	2125-AE17

+ DOT-designated significant regulation.

Federal Highway Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2417	+ Qualification of Drivers; Diabetes .....	2125-AB91
2418	+ Commercial Driver's License Standards; Biometric Identifier .....	2125-AC24
2419	+ Federal Motor Carrier Safety Regulations; General; Periodic Registration Requirements for Motor Carriers .....	2125-AC28
2420	Truck Length and Width Exclusive Devices .....	2125-AC30
2421	Certification of Size and Weight Enforcement .....	2125-AC60
2422	+ Qualification of Drivers; Vision .....	2125-AC62
2423	Parts and Accessories Necessary for Safe Operation: Intermodal Cargo Containers .....	2125-AC74
2424	+ Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials .....	2125-AC78
2425	+ Qualifications of Drivers: Hearing Deficiencies .....	2125-AD22
2426	Highway Beautification .....	2125-AD24
2427	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches .....	2125-AD25
2428	Motor Carrier Safety Assistance Program (MCSAP) Allocation Formula .....	2125-AD30
2429	Parts and Accessories Necessary for Safe Operation; General Amendments .....	2125-AD40
2430	Advanced Construction of Federal Aid Projects .....	2125-AD59
2431	Uniform Procedures for State Highway Safety Programs .....	2125-AD79
2432	Transportation of Hazardous Materials; Driving/Parking Rules .....	2125-AD80
2433	+ Transportation of Migrant Workers ( <b>Section 610 Review</b> ) .....	2125-AD81
2434	Inspection, Repair, and Maintenance .....	2125-AD82
2435	+ Motor Carrier Replacement Information/Registration System .....	2125-AD91
2436	Traffic Control Devices, Markings, Signals, and Systems for Railroad-Highway Grade Crossings .....	2125-AE11

+ DOT-designated significant regulation.

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## Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2437	Value Engineering .....	2125-AD33
2438	Design Standards for Highways; A Policy on Geometric Design of Highways and Streets; Design and Construction Criteria .....	2125-AD38
2439	Federal Aid Project Agreement and Contract Procedures .....	2125-AD58
2440	Highway Beautification: Amendments of Dire Emergency Supplemental Appropriations Act .....	2125-AD88
2441	Procedures for Abatement of Highway Traffic Noise and Construction Noise .....	2125-AD97
2442	Compensated Intercompany Hauling .....	2125-AE02
2443	Exemption From Notice Filing Requirements for Agricultural Cooperative Associations .....	2125-AE03
2444	Truck Size and Weight; National Network; North Carolina .....	2125-AE04
2445	Minimum Levels of Financial Responsibility for Motor Carriers of Property; General Definitions; Hours of Service of Drivers; Correcting Amendments .....	2125-AE07
2446	Truck Size and Weight; Technical Corrections .....	2125-AE08
2447	Motor Carrier Routing Regulations; Disposition of Loss and Damage Claims and Processing Salvage; Preservation of Records .....	2125-AE10
2448	Technical Amendments to Former Interstate Commerce Commission Regulations in Accordance with the ICC Termination Act .....	2125-AE12
2449	Commercial Driver's License Program and Controlled Substances and Alcohol Use and Testing; Conforming and Technical Amendments .....	2125-AE16

## National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2450	Review: Lamps, Reflective Devices, and Associated Equipment .....	2127-AB76
2451	Review: Passenger-Car Back Seat Occupant Protection .....	2127-AE95
2452	Review: Odometer Fraud .....	2127-AF53
2453	Review: Theft Prevention—5-Year Report to Congress .....	2127-AF55
2454	Add-On Seat Belt Devices ( <b>Section 610 Review</b> ) .....	2127-AG49
2455	+ Light Truck Fuel Economy Standards for Model Years 2000-2002 .....	2127-AG72
2456	Review: Child Safety Seat Registration .....	2127-AG93

+ DOT-designated significant regulation.

## National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2457	+ Wheelchair Lifts .....	2127-AD50
2458	Seat Adjustment Position .....	2127-AE22
2459	Tires on New Trailers .....	2127-AF05
2460	Upgrade Performance Requirements .....	2127-AF36
2461	Alternative Geometric Visibility Requirements for Lamps .....	2127-AF75
2462	Sealed Beam Headlamps .....	2127-AF89
2463	+ Federal Motor Vehicle Safety Standards: Head Impact Protection ( <b>Reg Plan Seq. No. 96</b> ) .....	2127-AG07
2464	+ Upgraded Request for Aircraft-Certified Child Seats .....	2127-AG12
2465	Hybrid III Dummy Specifications—Clothing .....	2127-AG39
2466	Modified Vehicles to Accommodate a Person's Disability ( <b>Section 610 Review</b> ) .....	2127-AG40
2467	Convex Cross View Mirrors .....	2127-AG41
2468	Remove Obsolete Provisions to Occupant Crash Standard .....	2127-AG42
2469	Upgrade Roof Crashworthiness .....	2127-AG51
2470	Utility Vehicle Label .....	2127-AG53
2471	Certification Labels for Multipurpose Passenger Vehicles and Light Duty Trucks .....	2127-AG65
2472	Fifth Percentile Female Dummy .....	2127-AG66
2473	Consumer Information on Tire Grading .....	2127-AG67
2474	+ Advanced Air Bags ( <b>Reg Plan Seq. No. 97</b> ) .....	2127-AG70
2475	Anthropomorphic Test Dummy for Head Impact Protection .....	2127-AG74

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

Sequence Number	Title	Regulation Identifier Number
2476	Advanced Air Bag Dummy Rule for Hybrid III Type 6-Year-Old-Size .....	2127-AG76
2477	Advanced Air Bag Dummy Rule for Hybrid III Type 3-Year-Old-Size .....	2127-AG77
2478	Advanced Air Bag Dummy Rule for CRABI 12 Month Old Size .....	2127-AG78
2479	Diodes Used on School Bus Stop Signal Arms .....	2127-AG81
2480	Motorcycle Headlamp Location Requirement .....	2127-AG84
2481	Glare Reduction from Daytime Running Lamps .....	2127-AG86
2482	Administrative Rewrite and Reference Update to the Lighting Standard .....	2127-AG87
2483	Signal Lamps Used with Light Emitting Diodes .....	2127-AG88
2484	Retarders and Stop Lights Operation .....	2127-AG89
2485	State Issued Identification Documents .....	2127-AG91
2486	Motorcycle Mounted Reflex Reflector Height .....	2127-AG92

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.  
 + DOT-designated significant regulation.

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2487	Truck Rear Underride Protection .....	2127-AA43
2488	+ Reduce Head Injuries Due to Contact With Upper Vehicle Interior .....	2127-AB85
2489	Fuel Spillage .....	2127-AC62
2490	Brake Lining .....	2127-AC66
2491	+ Film Transmittance of Glazing Materials .....	2127-AC85
2492	Driving Range Determination for Dual Fuel Electric Passenger Automobiles .....	2127-AF37
2493	Test Device Placement .....	2127-AF40
2494	Increase Femur Flexion Motion of the Hybrid III Test Dummy .....	2127-AF41
2495	Cylinder Requirements .....	2127-AF51
2496	Seat Belt Exemption for Law Enforcement Vehicles .....	2127-AF66
2497	Colorfastness Requirements for Seatbelts .....	2127-AF67
2498	Automatic Drain Valve for Air Reservoir Tanks .....	2127-AF72
2499	Rescission of Reflecting Surfaces Requirements .....	2127-AF74
2500	Power-Operated Windows: Roof Panels .....	2127-AF83
2501	Voluntarily-Installed Shoulder Belts .....	2127-AF91
2502	Heavy Duty Vehicle Brake Systems .....	2127-AF96
2503	Exemption From Rearward Displacement Requirements .....	2127-AG01
2504	Brake System for Electric Vehicles .....	2127-AG05
2505	Air Brake System Malfunction Lamp for Trailers .....	2127-AG06
2506	+ Federal Motor Vehicle Safety Standards; Occupant Crash Protection—Warning Labels .....	2127-AG14
2507	Dummy Containment During Compliance Testing .....	2127-AG17
2508	Review: Heavy Truck Conspicuity .....	2127-AG19
2509	National Driver Register Problem Driver Pointer System .....	2127-AG21
2510	Dealer Notification of Defect or Noncompliance Determination .....	2127-AG27
2511	Extend Applicability of Braking Requirements to All Light Vehicles .....	2127-AG35
2512	Power Window Safety Switches .....	2127-AG36
2513	Plastic Spacer-Inserts for Test Dummies .....	2127-AG37
2514	Auxiliary Signal Lamps .....	2127-AG38
2515	Reflex Reflectors for Rear of Truck Tractors .....	2127-AG47
2516	Pelvic Restraints .....	2127-AG48
2517	+ Uniform Child Anchorages ( <b>Section 610 Review</b> ) .....	2127-AG50
2518	Metric Conversion—Phase II .....	2127-AG55
2519	Low-Speed Vehicles .....	2127-AG58
2520	+ Depowering of Air Bags .....	2127-AG59
2521	+ Passenger-Side Manual Cutoff Switch for Air Bags .....	2127-AG60
2522	+ Deactivation of Air Bags .....	2127-AG61
2523	Determination of Functional Equivalency on Harmonization .....	2127-AG62
2524	Manufacturing Incentives for Alternative Fuel Vehicles .....	2127-AG63
2525	Procedures for Participating in and Receiving Data From the National Driver Register Problem Driver Pointer System .....	2127-AG68

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

Sequence Number	Title	Regulation Identifier Number
2526	Uniform Procedures for the State Highway Safety Programs and the Highway Safety Programs; Determinations of Effectiveness .....	2127-AG69
2527	Schedule of Fees for Nonconforming Vehicles .....	2127-AG73
2528	Compliance Test Dummy Measurements .....	2127-AG75
2529	Depower Exclusions from Requirements for Vehicles Certified to the Alternative Sled Test .....	2127-AG80
2530	Air Bag Warning Label for Rear-Facing Child Seats .....	2127-AG82
2531	Exemptions to Odometer Disclosure Requirements .....	2127-AG83
2532	+ Use of Unbelted and Belted Test Dummies .....	2127-AG85
2533	Extend Participation in the National Driver Register Program .....	2127-AG90
2534	Head Impact Requirements Relating to Depowering .....	2127-AG94

+ DOT-designated significant regulation.

## National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2535	+ Crashworthiness Ratings .....	2127-AA03
2536	+ Flammability of Interior Materials - School Buses .....	2127-AA44
2537	Procedures for Considering Environmental Impacts .....	2127-AB79
2538	+ School Bus Body Joint Strength .....	2127-AC19
2539	+ Rollover Protection .....	2127-AC64
2540	Seating Systems Performance .....	2127-AD08
2541	Certification Requirements of Multistage Vehicles .....	2127-AE27
2542	Radiator Safety Cap .....	2127-AE59
2543	Electric Vehicle Safety .....	2127-AF43
2544	Conversion of Vehicles to Compressed Natural Gas .....	2127-AF50
2545	+ Review: Side Impact Protection .....	2127-AF54
2546	Automotive Fuel Economy Reports .....	2127-AG00
2547	Door Latch Exemption for Vehicles Equipped with Wheelchair Lifts and Ramps .....	2127-AG16
2548	Review: American Automobile Labeling Act .....	2127-AG18
2549	Advanced Air Bag Dummy Rule for Hybrid III 95th Percentile Male .....	2127-AG79

+ DOT-designated significant regulation.

## National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2550	+ Review: Passenger Car Front Seat Occupant Protection (Federal Motor Vehicle Safety Standard No. 208) .....	2127-AD82
2551	Miniature and Nonfilament Light Sources .....	2127-AE97
2552	Retroreflective Conspicuity System .....	2127-AF59
2553	Regulatory Negotiation for Visual Headlamp Aimability Requirements .....	2127-AF73
2554	Current and Future State of the Art Innovation for Accelerator Controls .....	2127-AF76
2555	Rescission of Warning Devices .....	2127-AF77
2556	Alternative Motorcycle Headlamp Performance Requirements .....	2127-AF78
2557	Rescind Controls and Displays .....	2127-AF86
2558	Rescind Windshield Defrosting and Defogging Systems .....	2127-AF87
2559	Rescind Windshield Wiping and Washing Systems .....	2127-AF88
2560	Whip Resistance Test for Brake Hoses .....	2127-AG02
2561	Seat Belts Installed at Adjustable Seats .....	2127-AG24
2562	Theft Data for Calendar Year 1995 .....	2127-AG33
2563	Schedule of Fees for Importers .....	2127-AG43
2564	Center of Gravity of Test Dummy .....	2127-AG44
2565	Motor Vehicle Content Labeling .....	2127-AG46
2566	Consumer Information Regulations; Fees for Course Monitoring Tires .....	2127-AG54
2567	Insurer Reporting Requirements for October 1997 .....	2127-AG56

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National Highway Traffic Safety Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2568	List of Nonconforming Vehicles Eligible for Importation .....	2127-AG57
2569	+ Light Truck Fuel Economy Standards for Model Year 1999 .....	2127-AG64
2570	High-Theft Lines for Model Year 1998 .....	2127-AG71

+ DOT-designated significant regulation.

Federal Railroad Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2571	+ Railroad Communications—Advanced Train Control System .....	2130-AA94
2572	+ Hours of Service Electronic Recordkeeping Project .....	2130-AB04
2573	Tourist and Historic Working Group Regulatory Review ( <b>Section 610 Review</b> ) .....	2130-AB12

+ DOT-designated significant regulation.

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2574	+ Whistle Bans at Highway-Rail Grade Crossings .....	2130-AA71
2575	Qualification and Certification of Locomotive Engineers .....	2130-AA74
2576	+ Locomotive Crashworthiness and Working Conditions .....	2130-AA89
2577	+ Environmental Impact and Related Procedures (FRA, FTA, FHWA) .....	2130-AA93
2578	+ Passenger Equipment Safety Standards ( <b>Reg Plan Seq. No. 98</b> ) .....	2130-AA95
2579	Reinvention of Steam Locomotive Inspection Regulations .....	2130-AB07
2580	+ Florida Overland Express High Speed Rail Rule of Particular Applicability .....	2130-AB14
2581	+ Power Brake Regulations: Freight Power Brake Revisions .....	2130-AB16
2582	Automatic Train Control and Advanced Civil Speed Enforcement System; Northeast Corridor Railroads .....	2130-AB20

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

+ DOT-designated significant regulation.

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2583	Local Rail Freight Assistance to States .....	2130-AA60
2584	Alcohol/Drug Regulations; Miscellaneous Technical Amendments and Corrections .....	2130-AA63
2585	+ Freight Car Safety Standards: Maintenance-of-Way Equipment .....	2130-AA68
2586	+ Track Safety Standards .....	2130-AA75
2587	+ Rail Passenger Service: Emergency Preparedness ( <b>Reg Plan Seq. No. 99</b> ) .....	2130-AA96
2588	Maintenance, Inspection, and Testing of Grade-Crossing Signal Systems .....	2130-AA97
2589	Statement of Policy Regarding Safety of Railroad Bridges .....	2130-AA99
2590	Reinvention of Regulations Addressing Discontinuance or Modification of Signal Systems .....	2130-AB05
2591	Reinvention of Signal System Reporting Requirements .....	2130-AB06
2592	Reinvention of Regulations Addressing Railroad User Fees .....	2130-AB09
2593	Small Railroads; Policy Statement on Enforcement Program .....	2130-AB15
2594	Use of Remotely Controlled Locomotives in Rail Operations .....	2130-AB17
2595	Use of One-Person Crews in Rail Operations .....	2130-AB18
2596	Radio Communications .....	2130-AB19

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

+ DOT-designated significant regulation.

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Federal Railroad Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2597	AMTRAK Waste Disposal .....	2130-AA84
2598	Protection of Utility Employees .....	2130-AA90

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2599	Power Brake Regulations: Two-Way End-of-Train Telemetry Devices .....	2130-AA73
2600	+ Roadway Worker Protection .....	2130-AA86
2601	+ Selection and Installation of Grade Crossing Warning Systems .....	2130-AA92

+ DOT-designated significant regulation.

Federal Transit Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2602	+ Department of Transportation (FTA, FRA, FHWA, and USCG), NEPA, and Related Procedures for Transportation Decisionmaking .....	2132-AA43
2603	Prevention of Alcohol Misuse in Transit Operations; Prevention of Prohibited Drug Use in Transit Operations .....	2132-AA56

+ DOT-designated significant regulation.

Federal Transit Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2604	+ Bus Testing .....	2132-AA30
2605	Charter Services Demonstration Program .....	2132-AA58

+ DOT-designated significant regulation.

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2606	Buy America; Rolling Stock, Technical Amendment .....	2132-AA59

Saint Lawrence Seaway Development Corporation—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2607	Great Lakes Pilotage Points System .....	2135-AA10

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2608	+ Qualification of Pipeline Personnel .....	2137-AB38
2609	Pipeline Safety: Pressure Testing Older Hazardous Liquid and Carbon Dioxide Pipelines; Extension of Time .....	2137-AD05

DOT

Research and Special Programs Administration—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2610	+ Hazardous Materials: Safety Standards for Unloading Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service .....	2137-AD07

+ DOT-designated significant regulation.

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2611	+ Requirements for Cylinders ( <b>Section 610 Review</b> ) ( <b>Reg Plan Seq. No. 100</b> ) .....	2137-AA92
2612	Gas Gathering Line Definition .....	2137-AB15
2613	DOT 3AL Aluminum Cylinders; Safety Problems .....	2137-AB51
2614	Adoption of Industry Standards for Breakout Tanks .....	2137-AC11
2615	Underwater Abandoned Pipeline Facilities .....	2137-AC33
2616	Areas Unusually Sensitive to Environmental Damage (USAs) .....	2137-AC34
2617	+ Increased Inspection Requirements .....	2137-AC38
2618	+ Emergency Flow Restricting Devices ( <b>Reg Plan Seq. No. 101</b> ) .....	2137-AC39
2619	Hazardous Materials; Miscellaneous Amendments and Corrections .....	2137-AC41
2620	Labeling Requirements for Poisonous Materials .....	2137-AC47
2621	Regulated Gas and Hazardous Liquid Gathering Lines .....	2137-AC53
2622	Periodic Underwater Inspections .....	2137-AC54
2623	+ Risk-based Alternative to Pressure Testing Rule ( <b>Reg Plan Seq. No. 102</b> ) .....	2137-AC78
2624	Drug and Alcohol Testing; Substance Abuse Professional Evaluation for Drug Use .....	2137-AC84
2625	Requirements for Cargo Tanks .....	2137-AC90
2626	Metrication .....	2137-AC98
2627	Pipeline Safety: Incorporation by Reference of Industry Standard on Leak Detection .....	2137-AD06

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

+ DOT-designated significant regulation.

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2628	Quantity Limitations Aboard Aircraft .....	2137-AA85
2629	Determining the Extent of Corrosion on Exposed Gas Pipelines .....	2137-AB50
2630	Passage of Internal Inspection Devices .....	2137-AB71
2631	+ Response Plans for Onshore Oil Pipelines .....	2137-AC30
2632	Excess Flow Valve Customer Notification .....	2137-AC55
2633	Mandatory Participation in Qualified One-Call Systems by Pipeline Operators .....	2137-AC57
2634	Pipeline Safety User Fees .....	2137-AC65
2635	Control of Foreign Drug Use and Alcohol Misuse in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations .....	2137-AC67
2636	Low-Stress Hazardous Liquid Pipelines Serving Plants and Terminals .....	2137-AC87
2637	+ Prohibition of Oxidizers Aboard Aircraft .....	2137-AC92
2638	+ Hazardous Materials: Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service; Interim Final Rule .....	2137-AC97
2639	Regulations Implementing Memorandum of Understanding with the Department of the Interior .....	2137-AC99
2640	Further Regulatory Review; Gas Pipeline Safety Standards .....	2137-AD01
2641	Pipeline Safety: Periodic Updates to Pipeline Safety Regulations (1997) .....	2137-AD03
2642	Hazardous Materials: Editorial Correction and Clarifications .....	2137-AD09

+ DOT-designated significant regulation.

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Research and Special Programs Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2643	+ Maps and Records of Pipeline Locations and Characteristics; Notification of State Agencies; Pipe Inventory .....	2137-AB48
2644	+ Safeguarding Food From Contamination During Transportation .....	2137-AC00
2645	Tank Cars and Cargo Tank Motor Vehicles: Attendance Requirements .....	2137-AC24
2646	Retention of Shipping Papers .....	2137-AC64
2647	Applicability of the Hazardous Materials Regulations .....	2137-AC68
2648	Filling of Propane Cylinders .....	2137-AC86

+ DOT-designated significant regulation.

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2649	+ Hazardous Materials in Intrastate Commerce ( <b>Section 610 Review</b> ) .....	2137-AB37
2650	Improvements to Hazardous Materials Identification Systems .....	2137-AB75
2651	Harmonization With United Nations Recommendations, International Maritime Dangerous Goods Code and International Civil Aviation Organization's Technical Instructions .....	2137-AC82
2652	Liquefied Natural Gas Regulations; Miscellaneous Amendments .....	2137-AC88
2653	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
2654	Availability of Interpretations of RSPA Regulations .....	2137-AD00
2655	Hazardous Materials: Shipping Description and Packaging of Oxygen Generators .....	2137-AD02
2656	Hazardous Materials: Use of Non-Specification Open-Head Fiber Drum Packagings .....	2137-AD04
2657	Hazardous Materials: Withdrawal of Radiation Protection Program Requirement .....	2137-AD08

+ DOT-designated significant regulation.

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2658	Approval of Certain Transactions Before Vessel Documentation .....	2133-AB30

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2659	+ Guideline Rates: Less-Than-Shipload Lots of Bulk Preference Cargoes on Liner Vessels .....	2133-AB16
2660	+ Fair and Reasonable Rates: Bulk and Packaged Preference Cargoes .....	2133-AB19
2661	Elimination of Mortgagee and Trustee Restrictions .....	2133-AB29
2662	Citizenship Requirements for Vessels with Obligation Guarantees .....	2133-AB31

+ DOT-designated significant regulation.

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2663	+ Maritime Security Program .....	2133-AB24
2664	Criteria for Granting Waivers of Requirement for Exclusive U.S.-Flag Vessel Carriage of Certain Export Cargoes ...	2133-AB26

+ DOT-designated significant regulation.

DOT

Bureau of Transportation Statistics—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2665	Modernizing the Passenger Origin-Destination Survey .....	2139-AA01
2666	Modernizing the Motor Carriers of Property Financial Data Collections .....	2139-AA05

Bureau of Transportation Statistics—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2667	+ Amendments to the On-Time Disclosure Rule .....	2139-AA00

+ DOT-designated significant regulation.

Bureau of Transportation Statistics—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2668	Amendment to Passenger Origin-Destination Survey .....	2139-AA04

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Office of the Secretary (OST)

**2159. +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	09/10/97	62 FR 47606

Action	Date	FR Cite
ANPRM Comment Period End	11/10/97	

**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)

Proposed Rule Stage

Office of the Secretary (OST)

**2160. +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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local

**Agency Contact:** Larry Phillips, Chief, Industry Economics and Finance Div., Department of Transportation, Office of

DOT—OST

Proposed Rule Stage

the Secretary, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4382  
**RIN:** 2105-AB63

**2161. +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	10/00/97	

**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

**2162. +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	11/26/93	
Period End		
NPRM	03/00/98	

**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

**2163. DOMESTIC BAGGAGE LIABILITY**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 app USC 1324; 49 app USC 1373 to 1374; 49 app USC 1381  
**CFR Citation:** 14 CFR 254.4; 14 CFR 254.5  
**Legal Deadline:** None  
**Abstract:** The Department is proposing to amend its rule governing the amount by which certain U.S. air carriers may limit their liability to passengers for lost, damaged, and delayed baggage. This action is in response to a petition by Public Citizen and Aviation Consumer Action Project to increase the minimum liability limit from \$1,250 to \$1,850 per passenger. The Department is also requesting comment on two alternate proposals: (1) to raise the limit to \$1,850 with a mechanism that automatically provides for periodic future increases, or (2) to raise the minimum liability limit to \$2,000.

**Timetable:**

Action	Date	FR Cite
NPRM	09/30/94	59 FR 49867
NPRM Comment	11/29/94	
Period End		

Action	Date	FR Cite
Comment Period Extended	11/29/94	59 FR 60926
Notice Summarizing Aggregated Data	10/00/97	

**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

**2164. 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	10/00/97	

**Small Entities Affected:** Businesses  
**Government Levels Affected:** Undetermined  
**Procurement:** This is a procurement-related action for which there is no

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Proposed Rule Stage

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

**2165. 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

**Analysis:** Regulatory Evaluation 01/00/98

**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

**2166. +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	07/29/96	
Period End		
NPRM	12/00/97	

**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 20590  
Phone: 202 366-9306

**RIN:** 2105-AC49

**2167. 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	10/00/97	

**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

**2168. +DOMESTIC PASSENGER MANIFEST INFORMATION**

**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 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

DOT—OST

Proposed Rule Stage

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	
Comment Period Reopened	05/30/97	62 FR 29313
Comment Period End	06/20/97	
NPRM	11/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**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-AC62

**2169. • EXTENSION OF COMPUTER RESERVATIONS SYSTEM RULES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 41712; 49 USC 40101; 49 USC 40102; 49 USC 40105; 49 USC 40113

**CFR Citation:** 14 CFR 255

**Legal Deadline:** None

**Abstract:** This action would extend the expiration date of DOT's rules regulating computer reservations systems owned by airlines or airline affiliates that are used by travel agencies. That rule will expire December 31, 1997. The Department will conduct a reexamination of the

rules to see whether they should be continued or modified. That action is being taken under RIN 2105-AC65. Since the Department will be unable to complete that reexamination this year, the extension is necessary so that the current rules will remain in force.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**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-AC67

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Office of the Secretary (OST)

**2170. 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	10/00/97	

**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

**2171. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** SPDR-74, Docket 36639.

**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-AA45

**2172. 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,

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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	10/00/97	

**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

**2173. 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	11/07/83	
Period End		
To Be Withdrawn	10/00/97	

**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

**2174. 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	12/04/84	
Period End		
To Be Withdrawn	10/00/97	

**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

**2175. 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	09/17/84	
Period End		
Reply Comment	10/02/84	
Period End		
To Be Withdrawn	10/00/97	

**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

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**2176. +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.

**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	10/00/97	

**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

**2177. +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	10/00/97	

**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

**2178. +PASSENGER MANIFEST INFORMATION**

**Regulatory Plan:** This entry is Seq. No. 89 in Part II of this issue of the **Federal Register**.

**RIN:** 2105-AB78

**2179. 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	10/00/97	

**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

**2180. +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; 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.

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**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	05/30/97	62 FR 29548
Extended SNPRM Comment Period End 9/29/97	07/18/97	62 FR 38952
Final Action	03/00/98	

**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

**2181. 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	03/00/98	

**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

**2182. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**RIN:** 2105-AC10

**2183. USE OF DIRECT FINAL RULEMAKING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 49 USC 1657

**CFR Citation:** 49 CFR 5.21; 49 CFR 5.35

**Legal Deadline:** None

**Abstract:** The Department is considering a new rulemaking procedure to expedite the processing of noncontroversial changes to its regulations. Rules that the Secretary judges to be unlikely to result in public comment would be published as "direct final" rules. Such direct final rules would advise the public that no adverse comment is anticipated and that, unless written adverse comment or notice of intent to submit such comment is received within a specified number of days, the rule will become effective 60 days from the date of publication in the Federal Register.

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/95	60 FR 39919
NPRM Comment Period End	10/03/95	
Final Action	10/00/97	

**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

**2184. 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 disinfected: that is, sprayed with insecticide in order to kill insects that are vectors of communicable diseases. Currently, about 5 countries routinely require such spraying. This

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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	10/00/97	

**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

**2185. 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

Action	Date	FR Cite
NPRM Comment Period End	03/20/95	
Final Action	10/00/97	

**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 and Proceedings, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-9356

**RIN:** 2105-AC17

**2186. 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	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-9306  
TDD: 202 755-7687

**RIN:** 2105-AC28

**2187. +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	10/00/97	

**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

**2188. 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:** 49 USC 401; 49 USC 411; 49 USC 413; 49 USC 417

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**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	10/00/97	

**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

**2189. 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	
Final Action	10/00/97	

**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

**2190. 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	10/00/97	

**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

**2191. +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 (CFRs) 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	12/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** See also RIN 2105-AC35, Computer Reservations

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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

**2192. 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	
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/00/98

**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

**2193. 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 Rule (USCG)	04/08/97	62 FR 16695
Final Rule (USCG Correction)	05/27/97	62 FR 28760
Final Rule (USCG Correction)	06/09/97	62 FR 31339
Final Rule (USCG Correction)	07/22/97	62 FR 39313
Final Action (FRA)	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

because its rule involved more than the adoption of statutory language without interpretation. FHWA intends to publish its rule under RIN 2125-AD64.

**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

**2194. • UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS: COMMON RULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 31 USC 7501 to 7507

**CFR Citation:** 49 CFR 18.26; 49 CFR 19.26; 49 CFR 322(a)

**Legal Deadline:** None

**Abstract:** The Department is a participating in a voluntary Governmentwide common rule to amend its regulations because OMB amended its Circular A-133 regarding audits of states, local governments, and nonprofit organizations, and also rescinded its Circular A-128. OMB made these changes to comply with the Single Audit Act Amendments of 1996.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/29/97	62 FR 45937
Comment Period End	10/28/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The interim final rule is required to be published not later than 60 days from June 30, 1997, the date of publication of OMB's notice of revision of OMB circular A-133 and rescission of circular A-128.

**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-AC66

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

**Long-Term Actions**

**2195. 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

**2196. 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

**2197. +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

**2198. +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 Governmentwide panel to develop a common rule to conform to the 1995 legislatively mandated changes. This action is considered significant because it

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Long-Term Actions

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	10/00/98	

**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

**2199. 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

**Legal Deadline:** None

**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

**2200. +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 20590  
Phone: 202 366-9306

**RIN:** 2105-AC06

**2201. 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. The Department is considering whether to begin a regulatory negotiation.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local

**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-AC29

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

**Completed Actions**

**2202. 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 provides 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 making 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	04/21/97	62 FR 19233
Final Action Effective	05/21/97	

**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

**2203. +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 was 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
Combined With RIN 2105-AB92	05/30/97	62 FR 29548

**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

**2204. 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	04/02/97	62 FR 15620
Final Action Effective	04/02/97	

**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

**2205. 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. There may be an additional action 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. If so, that action will be issued under a new RIN number.

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**Completed Actions**

**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	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
03/17/97 (62 FR 6715)

**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

**2206. 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 compliance policy states that the ticket notices required by various DOT rules must be given (or be made readily available) to "ticketless" airline passengers no later than the time that they check in at the airport for the first flight of their itinerary. This information concerns protections afforded by Federal regulations, limitations on carrier liability, and contract terms that passengers may not otherwise be aware of.

**Timetable:**

Action	Date	FR Cite
Request for Comments: Comment Period End 3/19/96	01/19/96	61 FR 1309
Statement of Compliance Policy	04/22/97	62 FR 19473
Final Action Effective	05/22/97	

**Small Entities Affected:** None

**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

**2207. 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 revises regulations regarding the classification and declassification of, and access to, classified information. It delegates 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	05/01/97	62 FR 23661
Final Action Effective	06/02/97	

**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

**2208. 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 updates and streamlines information on maintenance and access to records pertaining to individuals. The main

revision removes 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	05/01/97	62 FR 23666
Final Action Effective	06/30/97	

**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

**2209. 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 revises regulations implementing the Freedom of Information Act. It updates organizational changes since the last revision and streamlines the regulations in order to make them more useful.

**Timetable:**

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33075
NPRM Comment Period End	08/26/96	
Final Action	04/22/97	62 FR 19515
Final Action Effective	06/23/97	

**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

DOT—OST

Completed Actions

the Secretary, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4542  
 Fax: 202 366-7152  
**RIN:** 2105-AC58

**2210. INSPECTION AND COPYING OF DEPARTMENT OPINIONS, ORDERS, AND RECORDS**

**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:** 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 regulations on the inspection and copying of DOT opinions, orders, and records and it amends regulations on the implementation of the Consumer Credit Protection Act with respect to air carriers and foreign air carriers. The inspection and copying rules are outdated and already encompassed in another part of the Department's regulations. With regard to the Consumer Credit Protection Act, this action updates both the agency references and statutory citations.

**Timetable:**

Action	Date	FR Cite
Final Action	05/12/97	62 FR 25840
Final Action Effective	06/11/97	

**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)

Prerule Stage

U.S. Coast Guard (USCG)

**2211. ● REVIEW OF REGULATIONS ON BOATING SAFETY (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 1233; 43 USC 1333; 46 USC 2302; 46 USC 3306; 46 USC 4302; 46 USC 4307; 46 USC 4310; 46 USC 4311; 46 USC 6101; 46 USC 12302

**CFR Citation:** 33 CFR 95; 33 CFR 100; 33 CFR 173; 33 CFR 174; 33 CFR 175; 33 CFR 177; 33 CFR 179; 33 CFR 181; 33 CFR 183

**Legal Deadline:** None

**Abstract:** The Coast Guard will conduct a comprehensive review of currently effective boating safety regulations during and after the meeting of the National Boating Safety Advisory Council (NBSAC) in October

1997. This Request describes which of them will come within the review and solicits comments from the boating community in response to issues that this Request will pose. The review is to determine which if any of those regulations need to change. The Coast Guard will provide a summary of the comments received to the members of the NBSAC for them to consider before that meeting, and will itself consider all relevant comments as it determines which if any of those regulations need change. This review is not required, but is consistent with 5 USC 610.

**Timetable:**

Action	Date	FR Cite
Begin Review, Request for Comments	05/28/97	62 FR 28824

Action	Date	FR Cite
End Comment Period	06/28/97	
Extension of Comment Period	08/26/97	62 FR 45197
End Comment Period	09/30/97	
Complete Review	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Carl 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-AF52

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

U.S. Coast Guard (USCG)

**2212. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

DOT—USCG

Proposed Rule Stage

Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
 Phone: 202 267-0257  
**RIN:** 2115-AD98

**2213. +FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-048)**

**Regulatory Plan:** This entry is Seq. No. 90 in Part II of this issue of the **Federal Register**.  
**RIN:** 2115-AE87

**2214. +TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (CGD 94-032)**

**Regulatory Plan:** This entry is Seq. No. 91 in Part II of this issue of the **Federal Register**.  
**RIN:** 2115-AE88

**2215. 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

**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

**2216. 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	10/00/97	

**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

**2217. 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	12/00/97	

**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

**2218. • CONFORMANCE OF THE UNIFORM STATE WATERWAYS MARKING SYSTEM WITH THE UNITED STATES AIDS TO NAVIGATION SYSTEM (CGD 97-018)**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 33 CFR 62; 33 CFR 66

**Legal Deadline:** None

**Abstract:** This rulemaking will consolidate the Uniform State Waterway Marking System (USWMS) with the US Aids to Navigation System (USATONS). The consolidation will eliminate three differences between the

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two systems by adopting the markers of the USATONS. The impact on government entities would be minimal because implementation costs will be linked to replacement cycles.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Daniel Andrusiak, Project Manager, G-OPN-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-0327

**RIN:** 2115-AF45

**2219. • +USER FEES FOR MARINE LICENSING, CERTIFICATES OF REGISTRY, AND MERCHANT MARINER DOCUMENTS (CGD 97-049)**

**Priority:** Other Significant

**Legal Authority:** 46 USC 2110; 14 USC 664; 31 USC 9701; 49 CFR 1.46

**CFR Citation:** 46 CFR 10; 46 CFR 12

**Legal Deadline:**

Final, Judicial, April 30, 1998.

**Abstract:** This project would revise user fees for Coast Guard services relating to the issuance of merchant mariner licenses, certificates of registry

and MMDs. This rulemaking was ordered by the District Court for the D.C. Circuit to be completed by 4/30/98. The user fees are based on direct and indirect personnel costs and overhead costs associated with specific services, and will affect all mariners obtaining or renewing marine licenses, certificates of registry and Merchant Mariner Documents. This is a significant rulemaking because it may have an impact on Coast Guard budgetary issues, and because it concerns a matter of significant public interest or controversy.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** Initial compliance costs to the public are \$9.2 million. Annual compliance costs to the public are \$9.2 million. Related Dockets are CGD 96-053 and USCG-97-2799.

**Agency Contact:** LCDR Daniel Rotermund, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593  
Phone: 202 267-6982

**RIN:** 2115-AF49

**2220. • AMENDMENT OF STATE WATERS FOR PRIVATE AIDS TO NAVIGATION IN WISCONSIN AND ALABAMA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 CFR 66.05-10(e)

**CFR Citation:** 33 CFR 66

**Legal Deadline:** None

**Abstract:** The Coast Guard proposes to reestablish federal jurisdiction over certain waterways in the States of Alabama and Wisconsin for the purposes of private aids to navigation. This action is being taken to implement a request from the State of Alabama and an agreement between the State of Wisconsin and the Coast Guard, and to ensure safe navigation on the affected waterways.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Dan Andrusiak, Project Manager, G-OPN-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-0327

**RIN:** 2115-AF50

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**2221. QUALIFICATIONS FOR TANKERMAN AND FOR PERSONS IN CHARGE OF TRANSFERS OF DANGEROUS LIQUIDS AND LIQUIFIED GASES (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:** In response, first, to the Port and Waterways Safety Act of 1978 and, second, to the International Convention on Standards of Training, Certification

and Watchkeeping for Seafarers, 1978 ("STCW"), as amended in 1995, this rulemaking established more stringent qualifying criteria for mariners transporting and transferring various oils and other cargoes. The regulated industry, however, has raised concerns with meeting the requirements of 33 CFR 155.710(e), which requires an endorsement to merchant mariners' documents. This rulemaking will delay the date of compliance required for 33 CFR 155.710(e) and invite additional public comment on this section.

**Timetable:**

Action	Date	FR Cite
NPRM	12/18/80	45 FR 83268
NPRM Comment Period End	03/18/81	

Action	Date	FR Cite
SNPRM Comment Period End	01/16/90	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	05/08/97	62 FR 25115
Final Action Effective	06/09/97	
Partial Suspension Delay of Effective Date	07/11/97	62 FR 37134
Delay date of Compliance request for comments	09/17/97	62 FR 48769
Comment Period end	11/17/97	

**Small Entities Affected:** None

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**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

**2222. 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 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	
Final Action	10/00/97	

**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 suspended 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

**2223. +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 Vessel Safety 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

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Action	Date	FR Cite
SNPRM Extended Comment Period End 02/28/93	12/18/92	57 FR 60158
SNPRM Correction	01/06/93	58 FR 630
NPRM Seasonally Cold Waters	05/20/93	58 FR 29502
Final Action	10/00/97	

**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 requirements 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

**2224. 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
Comment Period End	08/24/89	54 FR 22546
Notice	12/13/95	60 FR 64001
Final Action	12/00/97	

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

**RIN:** 2115-AD23

**2225. 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	02/24/94	59 FR 8881
	03/28/94	
Interim Final Rule	04/25/95	60 FR 20310

Action	Date	FR Cite
Interim Final Rule Comment Period End	07/24/95	
Interim Final Rule Comment Period Reopened to	10/17/95	60 FR 53727
	12/31/95	
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

**2226. +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	

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Action	Date	FR Cite
NPRM	09/29/92	57 FR 44912
NPRM Comment Period Extended to 11/16/92	10/26/92	57 FR 48489
NPRM Comment Period End	10/29/92	
Interim Final Rule	12/22/93	58 FR 67988
Interim Final Rule Effective	01/22/94	
Interim Final Rule Correction	01/26/94	59 FR 3749
Interim Final Rule Comment Period End	02/22/94	
Final Action	12/00/97	

**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

**2227. +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

Action	Date	FR Cite
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	05/00/98	

**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

**2228. 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	02/21/97	62 FR 7971
SNPRM Comment Period End	05/22/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/21/97 (62 FR 7975)

**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

**2229. 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	
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 07/20/94 (59 FR 37003)

**Additional Information:** The NPRM of 07/20/94 erroneously indicated RIN 2115-AE72.

**Agency Contact:** Diane Schneider, 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

**2230. 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 Effective Date	12/27/96	
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 12/27/96 (61 FR 68510)

**Agency Contact:** LCDR Daniel Pippinger, Project Manager, G-MSE-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
 Phone: 202 267-0171

**RIN:** 2115-AF11

**2231. 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	10/00/97	
Interim Final Rule Effective	01/01/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal

**Analysis:** Regulatory Evaluation 06/26/96 (61 FR 33031)

**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

**2232. 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	04/08/97	62 FR 17008
NPRM Comment Period End	07/07/97	
Final Action	10/00/97	

**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

**2233. 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

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**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 passenger 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	04/21/97	62 FR 19229
Interim Final Rule Effective	04/21/97	
Comment Period End	08/19/97	
Final Action	11/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

**Agency Contact:** Denise J. Mursch, Project Manager, G-MRP-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-0785

**RIN:** 2115-AF40

**2234. 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	05/09/97	62 FR 25576
NPRM Comment Period End	08/07/97	
Final Action	10/00/97	

**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

**2235. • INTERNATIONAL MANAGEMENT CODE FOR THE SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION (ISM CODE) (CGD 95-073)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 46 USC 3203

**CFR Citation:** 33 CFR 96

**Legal Deadline:** None

**Abstract:** This regulatory project will allow U.S. vessels involved in foreign trade to meet the requirements and be certified in compliance with safety management certificate regulations of chapter IX of SOLAS. This will allow continuous operation of U.S. flagged vessels on international trade which must meet the applicability of SOLAS. It will also provide the regulations for the selection of recognized authorities to act on behalf of the U.S. to complete the certification.

**Timetable:**

Action	Date	FR Cite
NPRM	05/01/97	62 FR 23705
NPRM Comment Period End	08/01/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The effective dates for mandatory compliance with SOLAS and for U.S. vessels to continue international trading uninterrupted is July 1, 1998, and July 1, 2002, depending on the type of vessel involved.

**Agency Contact:** Robert M. Gauvin, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-1053

**RIN:** 2115-AF44

**2236. • CARRIAGE OF BULK SOLID MATERIALS REQUIRING SPECIAL HANDLING (CGD 97-037)**

**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; 46 USC 3306; 46 USC 3703; 46 USC 5111; 46 USC 6101; 49 USC 1804; EO 11735; EO 12234

**CFR Citation:** 46 CFR 90; 46 CFR 97; 46 CFR 148

**Legal Deadline:** None

**Abstract:** This project will add materials carried with Special Permits issued under Coast Guard regulations and other materials contained in the International Maritime Organization Code of Safe Practice for Solid Bulk Cargoes (IMO Bulk Solids Code, or "BC Code"), including coal, to the list of materials permitted under the regulations. The special handling procedures associated with these materials are also included in the new rules. The revisions will harmonize U.S. regulations with recommended international practice, and eliminate the need to apply for Special Permits, except for newly classified hazardous materials.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** This project was initiated with an ANPRM (28 April 1989), and further developed in an NPRM (12 April 1994). In prioritizing resources, it was terminated on April 13, 1995. With resources available, it can now be completed as a direct final rule. Based on comments to the docket (previously CGD 87-069), this is a non-controversial and welcome amendment to existing regulations.

DOT—USCG

Final Rule Stage

**Agency Contact:** Frank Thompson, Project Manager, G-MOA-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-1217  
**RIN:** 2115-AF47

**Abstract:** This project implements 14 U.S.C. 515, which provides for child development services. The regulations will establish a fee subsidy that will result in lower fees for child care provided by Coast Guard Child Development Centers and Coast Guard certified Family Child Care Providers.

**Additional Information:** It is necessary to establish the Child Development Services program immediately because funds are currently available, and eligible members and employees can take advantage of the program at the earliest possible date. The interim rule will request comments.

**2237. ● CHILD DEVELOPMENT SERVICES (CGD 97-039)**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 14 USC 515  
**CFR Citation:** 33 CFR 55  
**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/97	

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

**Agency Contact:** Elaine Sweetland, Project Manager, G-WPW-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-6727  
**RIN:** 2115-AF48

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

Long-Term Actions

**2238. 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 1998: 300.

**Timetable:**

Action	Date	FR Cite
Actions Will Continue Through	10/00/98	

**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

**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 1998: 6.

**Timetable:**

Action	Date	FR Cite
Actions Will Continue Through	10/00/98	

**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

**2240. 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 Coast Guard establishes minimum performance standards for tank level or pressure monitoring devices for single-hull tank vessels that carry oil in bulk as cargo. The purpose

of these devices is to reduce the size and impact of an oil spill by alerting the tank vessel operator that a level or pressure change has occurred in a cargo tank. The Coast Guard will evaluate the performance and cost effectiveness of any device which meets the standards set in this rule, if that device is submitted to the Coast Guard during the effective period of this rule.

**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	
Temporary Rule	03/28/97	62 FR 14828
Temporary Rule Effective	04/28/97	
Final Action	04/00/99	

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

**2239. 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

DOT—USCG

Long-Term Actions

**2241. 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. 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 have been processed or returned as appropriate.

**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

**2242. +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

**2243. +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

**2244. 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.

DOT—USCG

Long-Term Actions

**Timetable:**

Action	Date	FR Cite
ANPRM	01/13/93	58 FR 4127
ANPRM Comment	04/13/93	
Period End		
Next Action	Undetermined	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

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

**Agency Contact:** LCDR Charles Barker, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-2498

**RIN:** 2115-AE22

**2245. 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 1998: 250.

**Timetable:**

Action	Date	FR Cite
Actions Will Continue Through	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2246. 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 1998: 50.

**Timetable:**

Action	Date	FR Cite
Actions Will Continue Through	10/00/98	

**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

**2247. +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	06/28/93	
Period End		
Notice of Meeting; Request for Comments, Comment Period	12/21/94	59 FR 65741
End	2/13/95	
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**Agency Contact:** LTJG Douglas Edgcomb, 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

**2248. 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  
08/03/94 (59 FR 39458)

**Agency Contact:** Kenneth Olson, Project Manager, G-MAO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-1417

**RIN:** 2115-AE82

**2249. 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

DOT—USCG

Long-Term Actions

Navigation Areas which are more extensive will be listed separately. Fifteen actions expected to continue through October 1998.

**Timetable:**

Action	Date	FR Cite
Actions Will Continue Through	10/00/98	

**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-AE84

**2250. 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

**Agency Contact:** Kenneth Olson, Project Manager, G-MOA-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-1417

**RIN:** 2115-AE89

**2251. +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:**

Other, Statutory, February 1, 1997, International Convention deadline.

**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
NPRM Comment Period End	07/24/96	
Notice of Intent	02/04/97	62 FR 5197
Interim Final Rule	06/26/97	62 FR 34505
Interim Final Rule Effective	07/28/97	
Final Action	12/00/99	

**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

**2252. 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

**Legal Deadline:** None

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

**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	
Notice of Request for Comments, Comment Period End 07/28/97	04/28/97	62 FR 22991
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,

DOT—USCG

Long-Term Actions

2100 Second Street SW., Washington, DC 20593-0001  
 Phone: 202 267-6810  
**RIN:** 2115-AF28

**2253. 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. The preliminary estimate of costs imposed by these amendments would vary according to the unit.

**Timetable:**

Action	Date	FR Cite
Notice of Request for Comments, Comment Period End 9/25/95	06/27/95	60 FR 33185
NPRM	12/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The Notice of Request for Comments published 27 June 1995, was assigned Coast Guard docket number 95-016. Due to only three comments being received, continued rulemaking was contemplated and use of CGD 95-016 was discontinued. This project will continue further rulemaking under the more current docket CGD 96-068, and RIN number 2115-AF39.

**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

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

U.S. Coast Guard (USCG)

**2254. +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

Action	Date	FR Cite
Comment Period Extended to 09/12/83	06/09/83	48 FR 26631
ANPRM Comment Period End	06/14/83	
ANPRM of Consolidated RIN 2115-AC63	04/16/87	52 FR 12439
NPRM	05/09/89	54 FR 20006
Comment Period Extended to 12/06/89	08/31/89	54 FR 36040
NPRM Comment Period End	09/06/89	
Interim Final Rule	11/16/95	60 FR 57630
Comment Period Reopened to 3/31/96	02/28/96	61 FR 7425
Interim Final Rule Effective	03/15/96	
Final Action	09/19/97	62 FR 49308
Final Action Effective	10/20/97	

**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

**2255. +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

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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	09/30/97	62 FR 51326
Final Action Effective	10/30/97	

**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

**2256. 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 life rafts complying with the 1974 Safety of Life At Sea (SOLAS) Convention, as amended, as well as adds provisions for approval of Coastal Service inflatable life rafts and inflatable buoyant apparatus for use on certain vessels not subject to SOLAS. The project improves the seaworthiness of inflatable life rafts by specifying minimum requirements for life raft stability. Finally, the project revises the requirements for inspections of life raft 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	05/09/97	62 FR 25525
Final Action Effective	06/09/97	
Correction	07/01/97	62 FR 35392

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/09/97 (62 FR 25525)

**Additional Information:** Two closely related projects have been consolidated into this one: Inflatable Liferaft Stability (CGD 80-113), RIN 2115-AA50,

and Servicing Inflatable Liferrafts (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

**2257. +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	
Interim Final Rule Effective	01/19/95	
Final Action	09/17/97	62 FR 48770
Final Action Effective	10/17/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**Agency Contact:** Christine Meers, Project Manager, G-MSR-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-1492

**RIN:** 2115-AD87

**2258. +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

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**CFR Citation:** 33 CFR 159

**Legal Deadline:** None

**Abstract:** This regulatory project would have established 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. After lengthy analysis the Coast Guard determined there was no rational basis on which to establish these fees. If it is determined to be needed at a later time, the Coast Guard will submit an entry to the Agenda.

**Timetable:**

Action	Date	FR Cite
Action Terminated	04/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2259. 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	06/24/97	62 FR 34014
Final Action Effective	07/24/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
06/24/97 (62 FR 34014)

**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

**2260. HARMONIZATION WITH INTERNATIONAL SAFETY STANDARDS (CGD 95-028)**

**Priority:** Substantive, Nonsignificant

**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	09/30/97	62 FR 51188
Final Action Effective	10/30/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
11/19/96 (61 FR 58804)

**Agency Contact:** Wayne Lundy, Project Manager, G-MSE-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-0024

**RIN:** 2115-AF10

**2261. ELECTRICAL ENGINEERING REQUIREMENTS 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	05/01/97	62 FR 23894
Final Action Effective	06/16/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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-AF24

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**2262. 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

**Legal Deadline:** None

**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 certain vessels less than 36 feet from survival craft carriage requirements since that equipment could make small vessels unsafe. Vessels not exempt from this rule, certain commercial fishing vessels of 36 feet or greater, will be required to incur a \$400-\$500 one time cost for the purchase of a survival craft. Finally, it establishes criteria for both instructor qualifications and acceptable course curricula. This final rule reflects changes 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 Correction Extension of Comment Period	12/27/96	61 FR 68161
Interim Final Rule End Comment Period	02/20/97	
Interim Final Rule Effective	03/20/97	
Final Action	09/04/97	62 FR 46672
Final Action Effective	10/06/97	

**Small Entities Affected:** Businesses  
**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

**2263. 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	04/11/97	62 FR 17748
Final Action Effective	04/11/97	

**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

**2264. • ANTARCTIC TREATY ENVIRONMENTAL PROTECTION PROTOCOL (CGD 97-015)**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** PL 104-227  
**CFR Citation:** 33 CFR 151  
**Legal Deadline:** None

**Abstract:** This rulemaking implements regulations to prevent pollution from private U.S. vessels operating in the Antarctic, and regulations that provide for prompt and effective response action to oil spills from certain public and private vessels operating in the Antarctic.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	04/14/97	62 FR 18043
Confirmation of Effective Date	09/03/97	62 FR 46446
Direct Final Rule Effective	09/30/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** LCDR Ray Perry, Project Manager, G-MSO-4, Department

of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
 Phone: 202 267-2714

**RIN:** 2115-AF43

**2265. • RADAR REQUIREMENTS FOR TOWING VESSELS 300 GROSS TONS OR MORE (CGD 97-034)**

**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 1223

**CFR Citation:** 33 CFR 164

**Legal Deadline:** None

**Abstract:** On July 3, 1996 the Coast Guard published a final rule requiring certain towing vessels of 12 meters (39.4 feet) or more in length, operating in the navigable waters of the United States other than the St. Lawrence Seaway, to be equipped with a marine radar. This final rule included a provision requiring, in some cases, towing vessels of 300 gross tons or more to have a radar that is azimuth stabilized. This requirement is scheduled to go into effect on August 2, 1998. Following issuance of the final rule, the Coast Guard received comments expressing concern about the need for and the expense of this requirement with respect to towing vessels on inland waters, the Coast Guard issued a final rule that revised the radar requirement for a towing vessel of 300 gross tons or more engaged in towing on navigable waters of the U.S. including Western rivers.

**Timetable:**

Action	Date	FR Cite
Final Action	07/28/97	62 FR 40270
Final Action Effective	07/28/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** Revises final rule for towing vessels published on 3 July 1996 entitled, "Navigation Safety Equipment for Towing Vessels." (CGD 94-020, 61 FR 35064)

**Agency Contact:** Mr. Ed LaRue, Project Manager, G-MOV, Department of Transportation, U.S. Coast Guard, 2100

**DOT—USCG**

**Completed Actions**

Second St. SW., Washington, DC  
20593-0001  
Phone: 202 267-0416  
**RIN:** 2115-AF46

**2266. • +OPERATIONAL MEASURES TO REDUCE OIL SPILLS FROM EXISTING TANK VESSELS WITHOUT DOUBLE HULLS (CGD 91-045)**

**Priority:** Other Significant

**Legal Authority:** 46 USC 3703; PL 101-380

**CFR Citation:** 33 CFR 157

**Legal Deadline:**

Final, Statutory, August 26, 1991.

**Abstract:** This rulemaking was previously assigned RIN 2115-AE01, and had a final rule published on July 30, 1996. The final rule required owners, masters, or operators of tank vessels of 5,000 gross tons or more that

do not have double hulls, and that carry oil in bulk as cargo, to comply with certain operational measures. This final rule included a provision requiring, in some cases, owner notification of the vessel's calculated anticipated under-keel clearance, and was scheduled to go into effect on November 27, 1996. Following issuance of the final rule, the Coast Guard received comments, several in the form of petitions for rulemaking, expressing concern about the implementation of the owner notification portion of the under-keel clearance provision, and requesting an additional opportunity to comment on the provision. On November 27, 1996, the Coast Guard granted this request by suspending the provision and giving the public 90 days to comment on the under-keel clearance requirement in general. After reviewing the additional public comments, the Coast Guard issued a

final rule which revises the under-keel clearance requirement for single-hull tank vessels and responds to the petitions for rulemaking.

**Timetable:**

Action	Date	FR Cite
Partial Suspension of Final Rule	11/27/96	61 FR 60189
Final Action	09/23/97	62 FR 49603
Final Action Effective	01/21/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** LT Brian Willis, Project Manager, G-MSR-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001  
Phone: 202 267-2735

**RIN:** 2115-AF51

**DEPARTMENT OF TRANSPORTATION (DOT)**

**Prerule Stage**

**Federal Aviation Administration (FAA)**

**2267. +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

**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

**2268. • +CHILD RESTRAINT SYSTEMS**

**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 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46502; ...

**CFR Citation:** 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

**Legal Deadline:** None

**Abstract:** This action is seeking public comment on issues relating to the use of child restraint systems in aircraft during all phases of flight (i.e., taxi, takeoff, landing, or any other time the seat belt sign is illuminated). Specifically, the agency seeks information about existing child restraint systems, the development of new and improved child restraint systems, the ease with which existing or new child restraint systems can be

used, and the effectiveness of changing the current child restraint system regulations. This advance notice is intended to gather information in response to a recommendation made by the White House Commission on Aviation Safety and Security (Gore Commission). This information is needed so that the FAA can determine the best way to ensure the safety of children while on board aircraft. After such a determination is made, the FAA will issue a Notice of Proposed Rulemaking with specific regulatory proposals that respond to the Commission's recommendations regarding the use of child restraint systems. This action is considered significant because of safety implications.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** Project Number: AFS-97-261R

**Agency Contact:** Donell Pollard, Air Transportation Division, Department of Transportation, Federal Aviation

DOT—FAA

Prerule Stage

Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 202 267-3735  
RIN: 2120-AG43

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

Proposed Rule Stage

**2269. 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

**2270. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2271. +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 NPRM	08/08/89 10/00/97	54 FR 32563

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

DOT—FAA

Proposed Rule Stage

Phone: 202 267-7228

RIN: 2120-AC38

**2272. INSTALLATION OF CRASHWORTHY FUSELAGE FUEL TANKS AND FUEL LINES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

**CFR Citation:** 14 CFR 25

**Legal Deadline:**

NPRM, Statutory, February 3, 1989, Public Law 100-591 Aviation Safety Research Act of 1988.

**Abstract:** This preliminary action was initiated to determine the feasibility of installing, in all air carrier aircraft, crashworthy fuselage fuel tanks and fuselage fuel lines which are rupture resistant and which disconnect and seal in the event of an accident. This notice solicited public participation in identifying and selecting a regulatory course of action by inviting interested persons to submit specific comments and arguments concerning this proposed regulatory action. Originally this rulemaking was considered significant. However, because there is no substantial public interest, this rulemaking is no longer significant.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/02/89	54 FR 18824
ANPRM Comment Period End	10/30/89	
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 12/00/97

**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: 425 227-2132

RIN: 2120-AC87

**2273. +DRUG ENFORCEMENT ASSISTANCE**

**Priority:** Other Significant

**Legal Authority:** 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44702 to 44703; 49 USC 44704; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111

**CFR Citation:** 14 CFR 13; 14 CFR 47

**Legal Deadline:**

Final, Statutory, September 18, 1989, FAA Drug Enforcement Assistance Act of 1988.

**Abstract:** This action would revise certain requirements concerning registration of aircraft, certification of pilots, and penalties associated with registration and certification violations. This notice also announced new procedures for processing major repair and alteration forms which pertain to fuel system modifications. Actions announced in this notice respond to the FAA Drug Enforcement Assistance Act. The requirements and adopted procedures are intended to assist law enforcement agencies in their efforts to stop drug trafficking in general aviation aircraft. This rulemaking is significant because of substantial and public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	03/12/90	55 FR 9270
NPRM Comment Period End	05/11/90	
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

**2274. +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	08/01/97	62 FR 41760
NPRM Comment Period End	12/01/97	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/01/97 (62 FR 41760)

**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

**2275. +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. 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-90-347R.

**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

**2276. 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

**2277. +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; 14 CFR 183

**Legal Deadline:**

Other, Statutory, April 24, 1992, Aging Aircraft Safety Act of 1991; action must be initiated by 04/24/92.

**Abstract:** On October 5, 1993, the FAA published an NPRM that proposed to 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. After further review, and taking into consideration public comments to the NPRM, the FAA considers it appropriate to withdraw that NPRM. The FAA is developing a new NPRM that would ensure the continuing airworthiness of the most significant aging airplanes operating in air transportation by mandating aging aircraft records reviews and inspections for certain air carriers and certain

aircraft and also by applying modern damage-tolerance analyses and inspection techniques to older airplane structures that were certificated before such techniques were available. This rulemaking is significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/93	58 FR 51944
NPRM Comment	02/02/94	
Period End		

NPRM Comment 02/08/94 59 FR 5741

Period Extended to 03/04/94

Withdrawal of NPRM dated 10/05/93 07/22/97

NPRM 11/00/97

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
11/00/97

**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

**2278. +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

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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

**2279. +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 depression 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 Sobek, 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

**2280. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2281. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2282. 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 initiated 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2283. +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 will propose new regulations for air tour and sightseeing operations that are currently allowed to operate under less stringent regulations than those applied to other types of commercial operations. Over the past decade the number of these operations and the number of accidents and incidents associated with these operations have increased. Hot air balloons and gliders would not be included in this amendment. This rulemaking is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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: 202 267-3724

**RIN:** 2120-AF07

**2284. 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. This is an ARAC project that has 2 phases, phase 1 was addressed in the first NPRM and phase 2 will be addressed in the second NPRM as well as addressing comments received from the first NPRM.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/94	59 FR 42430
NPRM Comment Period End	10/17/94	
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**Additional Information:** Project No. AFS-96-492A. 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

**2285. 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

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(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-95-218A.

**Agency Contact:** Lance Gant, Rotorcraft Standards Staff, Rotorcraft Directorate, Department of Transportation, Federal Aviation Administration, ASW-110, FAA, Fort Worth, TX 76193-0110  
Phone: 817 222-5114

**RIN:** 2120-AF33

**2286. +OVERFLIGHTS OF UNITS OF THE NATIONAL PARK SYSTEM**

**Regulatory Plan:** This entry is Seq. No. 92 in Part II of this issue of the **Federal Register**.

**RIN:** 2120-AF46

**2287. +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

**2288. +PASSENGER FACILITY CHARGES**

**Priority:** Other Significant

**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	

Action	Date	FR Cite
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

**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

**2289. 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 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

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Action	Date	FR Cite
NPRM Comment Period End	11/13/95	
NPRM	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

**2290. 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:**

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-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

**2291. 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

**2292. 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

**2293. NON-FEDERAL AIR TRAFFIC CONTROL FACILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not yet determined

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**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: 202 267-9246

**RIN:** 2120-AF91

**2294. NATIONAL SECURITY AREAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40120; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722

**CFR Citation:** 14 CFR 91

**Legal Deadline:** None

**Abstract:** This action will propose to add a new section to part 91 of the Code of Federal Regulations that would address National Security Areas and the associated NOTAM responsibility of the FAA Administrator in issuing temporary flight restrictions governing the operational responsibilities of pilots operating aircraft near national security areas.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2295. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2296. +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

**2297. 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.

DOT—FAA

Proposed Rule Stage

**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

**2298. +FALSE AND MISLEADING  
STATEMENTS REGARDING AIRCRAFT  
PARTS**

**Priority:** Other Significant

**Legal Authority:** 49 USC 44913

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This action proposes additional rules that would prohibit certain false or misleading statements regarding civil aircraft, airframes, aircraft engines, propellers, appliances, component parts, and materials, including standard parts, that are used, or may be used, on civil aircraft. The proposals would also permit increased inspection by the FAA of records regarding the quality of aircraft parts. The additional rules are needed to help prevent persons from representing parts as suitable for use on civil aircraft when in fact they may not be. The proposals are intended to provide assurance that aircraft owners and operators, and persons who maintain aircraft, have truthful information on which to determine whether a part may be used in a given civil aircraft application. This action is 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: 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

**2299. +SECURITY PROGRAMS OF  
FOREIGN AIR CARRIERS AND  
FOREIGN OPERATORS OF U.S.  
REGISTERED AIR CARRIERS  
ENGAGED IN COMMON CARRIAGE**

**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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
10/00/97

**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: 202 267-5961

**RIN:** 2120-AG13

**2300. +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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
10/00/97

**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

DOT—FAA

Proposed Rule Stage

**2301. +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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2302. DISPUTE RESOLUTION REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(f)

**CFR Citation:** 14 CFR 17

**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	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Analysis:** Regulatory Evaluation 10/00/97

**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

**2303. VFR/IFR FUEL RESERVE REQUIREMENTS: ISLAND DESTINATION AIRPORTS FOR WHICH NO ALTERNATE AIRPORT IS AVAILABLE**

**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:** This proposed 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 being proposed because of the initiation of this type of operation to such an airport.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 12/00/97

**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

**2304. CERTIFICATION OF SECURITY SCREENING COMPANIES**

**Priority:** Substantive, Nonsignificant

**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 sought 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 responded 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	03/17/97	62 FR 12724

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Proposed Rule Stage

Action	Date	FR Cite
ANPRM Comment Period End	05/01/97	
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation  
02/00/98

**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

**2305. FEES FOR OBSTRUCTION  
EVALUATION STUDIES**

**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 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation  
10/00/97

**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

**2306. +PROHIBITION OF THE  
TRANSPORTATION OF DEVICES  
DESIGNED AS CHEMICAL  
GENERATORS AS CARGO IN  
AIRCRAFT**

**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; 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. It would also  
apply to devices designated as chemical  
oxygen generators that have been  
discharged (spent) or that are past their  
expiration dates. 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) proposed a ban  
that applies to "spent" chemical  
oxygen generators to the extent that  
such generators have residue chemicals  
in the canisters. (See RIN 2137-AC92)

This rulemaking is considered  
significant because of substantial public  
interest.

**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: 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

**2307. +PROTECTION OF  
VOLUNTARILY SUBMITTED  
INFORMATION**

**Priority:** Other Significant

**Legal Authority:** Not yet determined

**CFR Citation:** Not yet determined

**Legal Deadline:**

NPRM, Statutory, October 9, 1996,  
Federal Aviation Reauthorization Act of  
1996. 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation  
10/00/97

**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

**2308. +LICENSING OF LAUNCH FROM  
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 conduct

DOT—FAA

Proposed Rule Stage

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	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 12/00/97

**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

**2309. • +AIR TOUR OPERATIONS IN THE STATE OF HAWAII**

**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 135

**Legal Deadline:** None

**Abstract:** This rulemaking will dispose of comments received in response to

the final rule published on September 26, 1994 (59 FR 49138), for certain procedural, operational, and equipment requirements for air tour operations in the State of Hawaii, codified as Special Federal Aviation Regulation (SFAR 71). It also proposes to extend SFAR 71 until the FAA publishes a final rule regulating all air tour operations.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 10/00/97

**Additional Information:** Project Number: AFS-94-453R

**Agency Contact:** David Metzbower, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3724

**RIN:** 2120-AG44

**2310. • PART 93 SUBPART D—ANCHORAGE, ALASKA, TERMINAL AREA**

**Priority:** Substantive, Nonsignificant

**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 action proposes to amend regulations regarding the Anchorage, Alaska, Terminal Area. The FAA is proposing this action to enhance safety and simplify aircraft operating procedures in the Anchorage, Alaska, Terminal Area.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 10/00/97

**Agency Contact:** Janet Apple, Office of Air Traffic Airspace Management, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8783

**RIN:** 2120-AG45

**2311. • +ENHANCED GROUND PROXIMITY WARNING SYSTEM**

**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 44712; 49 USC 44715; 49 USC 44716 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316;

...

**CFR Citation:** 14 CFR 91; 14 CFR 121; 14 CFR 135

**Legal Deadline:** None

**Abstract:** This action would issue rules that would prohibit the operation of turbine-powered U.S. registered civil airplanes of six or more passenger seats, exclusive of pilot and co-pilot seating, unless that airplane is equipped with an FAA-approved enhanced ground proximity warning system. This proposed rule is intended to further reduce the risk of controlled flight into terrain accidents.

**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: AIR-96-354R.

**Agency Contact:** Manny Macedo, Office of Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9566

**RIN:** 2120-AG46

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

**Final Rule Stage**

**2312. 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	10/16/95	60 FR 53680
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**Additional Information:** Project ATO-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

**2313. +FUEL SYSTEM VENT FIRE PROTECTION**

**Priority:** Other Significant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44721; 49 USC 44722; 49 USC 44901

**CFR Citation:** 14 CFR 25; 14 CFR 121; 14 CFR 135

**Legal Deadline:** None

**Abstract:** This action would amend the airworthiness standards for transport category airplanes to require fuel vent system protection during post-crash ground fires. This proposed rule would apply to air carriers, air taxi operators, and commercial operators of transport category airplanes, as well as the manufacturers of such airplanes. This action is considered significant because of substantial public interest and the safety implications.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/26/84	49 FR 38078
ANPRM Comment Period End	01/25/85	
NPRM	02/02/95	60 FR 6632
NPRM Comment Period End	06/02/95	
Final Action	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/02/95 (60 FR 6632)

**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: 425 227-2116

**RIN:** 2120-AA49

**2314. 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	10/00/97	

**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

**2315. IFR ALTITUDES; MISCELLANEOUS AMENDMENTS**

**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

DOT—FAA

Final Rule Stage

requirements to keep those requirements operationally current. Total actions expected--400. 10/00/97 - 10/00/98.

**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

**2316. 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--500. 10/00/97 to 10/00/98.

**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

**2317. 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--2,000. 10/00/97 - 10/00/98.

**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

**2318. 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--300. 10/00/97 through 10/00/98.

**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

**2319. +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	10/00/97	

**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: 425 227-1129

**RIN:** 2120-AB17

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**2320. 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: 425 227-2135

**RIN:** 2120-AB46

**2321. +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

**2322. +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	10/00/97	

**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

**2323. +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:**

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Final, Statutory, September 30, 1989, Airway Safety and Capacity Expansion Act of 1987 (PL 100-223).

**Abstract:** The FAA is withdrawing a previously published Advance Notice of Proposed Rulemaking (ANPRM) that proposed to establish minimum standards under which a radio navigation system may be certified as the sole radio navigation system required in an aircraft conducting Instrument Flight Rules en route and terminal area operations, including nonprecision approach, in controlled airspace of the United States. This rulemaking was considered to be significant because of a congressional mandate. However, the provision was REPEALED in 1994 as part of the recodification of title 49. The provision was originally enacted as section 310(c) in FAA's 1987 Reauthorization bill, Pub. L. No. 100-123.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/22/90	55 FR 2206
ANPRM Comment Period End	05/22/90	
Withdrawal Notice	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

**2324. +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

**2325. 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

**2326. 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

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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: 425 227-1320

**RIN:** 2120-AD40

**2327. +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

Action	Date	FR Cite
Notice: Additional Compliance Guidance	10/19/93	58 FR 53987
NPRM Comment Period End	11/16/93	
Final Action	10/00/97	

**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: 425 227-2143

**RIN:** 2120-AD42

**2328. +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	08/01/97	62 FR 41730
Comment Period End	12/01/97	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/01/97 (62 FR 41730)

**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

**2329. 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

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Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-6561

RIN: 2120—AE41

**2330. +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 maintains a level of safety equal to or greater than that provided by the current regulations. This rulemaking is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
Public Meeting Notice	07/22/93	58 FR 39273
Final Rule Effective	04/09/97	
Final Rule Request for Comments	04/09/97	62 FR 17480
Final Rule Comment Period End	06/09/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/09/97 (62 FR 17480)

**Additional Information:** Project Number: AFS-92-773R

**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

**2331. +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	10/00/97	

**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

**2332. +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, Pilot 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 Rule Request for Comments	04/04/97	62 FR 16220

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Action	Date	FR Cite
Final Rule Comment Period End	06/03/97	
Correction	07/30/97	62 FR 40888
Final Rule Effective	08/04/97	
Final Action	08/00/98	

**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

**2333. 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	10/00/97	

**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

**2334. CIVIL PENALTY ASSESSMENT PROCEDURES**

**Priority:** Substantive, Nonsignificant

**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.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/94	59 FR 40192
NPRM Comment Period End	10/04/94	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/05/94 (59 FR 40192); Regulatory Evaluation 10/00/97

**Additional Information:** Project Number: AGC-93-076R. This rulemaking was considered significant, however, after receiving only two comments on the NPRM issued in 8/94, and the lack of controversy regarding this rule, the FAA does not consider this a significant rulemaking.

**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

**2335. +REVISED ACCESS TO TYPE III EXITS**

**Priority:** Other Significant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

**CFR Citation:** 14 CFR 25; 14 CFR 121

**Legal Deadline:** None

**Abstract:** This action would adjust recently adopted requirements for access to type III emergency exits in transport category airplanes with 60 or more passenger seats. The adjustments would reflect new data from tests conducted at the FAA's Civil Aeromedical Institute and are intended to improve the ability of occupants to evacuate an airplane under emergency conditions. This rulemaking is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	01/30/95	60 FR 5794

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	05/01/95	
Final Action	12/00/97	

**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

**2336. 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
Correction	04/28/97	62 FR 23120
Final Action	10/00/97	

**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

**2337. +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

**Timetable:**

Action	Date	FR Cite
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	10/00/97	

**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

**2338. LOS ANGELES, CA, CLASS B AIRSPACE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

**CFR Citation:** 14 CFR 71

**Legal Deadline:** None

**Abstract:** 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. This 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 11/22/94 (59 FR 60244)

DOT—FAA

Final Rule Stage

**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:** William Nelson, 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: 202 267-9295

**RIN:** 2120-AF16

**2339. +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

**2340. AVIATION INSURANCE (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 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	04/17/97	62 FR 19008
NPRM Comment Period End	06/02/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/17/97 (62 FR 19008)

**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

**2341. +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. This rulemaking is significant because of substantial public interest.

**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	09/28/94	59 FR 49360
	11/25/94	
NPRM Comment Period End	10/11/94	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/25/94 (59 FR 43994)

DOT—FAA

Final Rule Stage

**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

**2342. +FLIGHT CREWMEMBER DUTY PERIOD LIMITATIONS, FLIGHT TIME LIMITATIONS, AND REST REQUIREMENTS**

**Regulatory Plan:** This entry is Seq. No. 93 in Part II of this issue of the **Federal Register**.

**RIN:** 2120—AF63

**2343. 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	05/02/97	62 FR 24288

Action	Date	FR Cite
NPRM Comment Period End	09/02/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/02/97 (62 FR 24288)

**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

**2344. 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

Action	Date	FR Cite
NPRM Comment Period End	11/07/96	
Final Action	11/00/97	

**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 Boudreau, 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

**2345. MISCELLANEOUS CABIN SAFETY CHANGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

**CFR Citation:** 14 CFR 121

**Legal Deadline:** None

**Abstract:** This action proposes to revise the airworthiness standards for transport category airplanes relating to flight attendant assist space, flight attendant assist handles, door hold open features, outside viewing means, interior compartment doors and portable oxygen equipment. With one exception, these proposals are not the result of any specific incident or recommendation, but are part of the FAA's continuing effort to upgrade the regulations to improve the overall level of safety in areas where the state-of-the-art and good design practice have indicated that such upgrades are warranted. These proposals would result in both new type design regulations as well as requirements applicable to existing designs implemented via the operating rules.

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/96	61 FR 38552

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
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: 425 227-2136

**RIN:** 2120-AF77

**2346. REVISION OF HYDRAULICS SYSTEMS AIRWORTHINESS STANDARDS TO HARMONIZE WITH EUROPEAN AIRWORTHINESS STANDARDS FOR TRANSPORT CATEGORY AIRPLANES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

**CFR Citation:** 14 CFR 25

**Legal Deadline:** None

**Abstract:** This notice proposes to amend the airworthiness standards for transport category airplanes to harmonize hydraulic systems design and test requirements with standards proposed for the European Joint Aviation Requirements. These proposals were developed in cooperation with the Joint Aviation Authorities of Europe and the US and European aviation industry through the Aviation Rulemaking Advisory Committee (ARAC). These changes are intended to benefit the public interest by standardizing certain requirements, concepts, and procedures contained in the airworthiness standards without reducing and potentially enhancing the current level of safety.

**Timetable:**

Action	Date	FR Cite
NPRM	07/03/96	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	12/00/97	

**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

**2347. 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 revises 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 also harmonizes these standards with those being proposed for the European Joint Aviation Requirements (JAR).

**Timetable:**

Action	Date	FR Cite
NPRM	06/09/97	62 FR 31482
Correction	07/10/97	62 FR 37124
NPRM Comment Period End	09/08/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 06/09/97 (62 FR 31482)

**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 Lind Avenue SW., Renton, WA 98055-4056 Phone: 206 227-1129

**RIN:** 2120-AF82

**2348. 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	12/00/97	

**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:** Ivan Connolly, 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

DOT—FAA

Final Rule Stage

**2349. 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	10/00/97	

**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

**2350. +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: Comment Period End 12/2/96	10/02/96	61 FR 51395
NPRM Correction	10/26/96	61 FR 43814
NPRM Comment Period Reopened: Comment Period End 8/4/97	07/03/97	62 FR 36028
Final Action	10/00/97	

**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

**2351. +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 modifies 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.

DOT—FAA

Final Rule Stage

**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: Comment Period End 5/19/97	03/19/97	62 FR 13216
Correction	05/23/97	62 FR 28391
NPRM Comment Period Reopened: Comment Period End 8/4/97	07/03/97	62 FR 36027
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

**2352. +POLICY AND PROCEDURES CONCERNING THE USE OF AIRPORT REVENUE**

**Priority:** Other Significant

**Legal Authority:** Not yet determined

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** This document proposes a statement of policy and procedures concerning the use of airport revenue. This statement of policy discusses in detail the requirement that revenue at public airports that have received Federal grants generally be used only for airport purposes. A statement of policy is required by the Federal Aviation Administration Authorization Act of 1994. The FAA is issuing a proposed policy and requesting public comment because of substantial public and industry interest in the subject matter.

**Timetable:**

Action	Date	FR Cite
Notice of Proposed Policy: Comment Period End 04/26/96	02/26/96	61 FR 7134
Final Policy	10/00/97	

**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

**2353. FEES FOR PROVIDING PRODUCTION CERTIFICATION-TYPE SERVICES OUTSIDE THE UNITED STATES**

**Priority:** Substantive, Nonsignificant

**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.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/97	62 FR 38008
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/14/97 (62 FR 38008)

**Additional Information:** Project No. AIR-96-424R. The FAA initially thought that this rulemaking might generate significant public interest. However, in view of the very small number of manufacturers affected and their option to request this service, the FAA does not consider this a significant rulemaking.

**Agency Contact:** Ramona Johnson, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8361

**RIN:** 2120-AG14

**2354. 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	10/00/97	

**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

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**2355. +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 action is necessary to allow the FAA to fully recover the costs it incurs in performing these services. The intended effect of this interim final rule is to contribute toward the FAA's goal of being 100 percent user supported by the year 2003. In addition, the FAA held a public meeting on May 1, 1997, to provide an additional opportunity for the public to comment. This action is significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/20/97	62 FR 13496
Correction	04/29/97	62 FR 23295
Correction and Technical Amendment	05/02/97	62 FR 24286
Correction	05/05/97	62 FR 24552
Interim Final Rule Effective	05/19/97	
Interim Final Rule Comment Period End	07/18/97	
Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 03/20/97 (62 FR 13496)

**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

**2356. HARMONIZATION OF MISCELLANEOUS ROTORCRAFT REGULATIONS**

**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 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	06/09/97	62 FR 31476
Correction	06/30/97	62 FR 35247
NPRM Comment Period End	09/08/97	
Final Action	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 06/09/97 (62 FR 31476)

**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

**2357. +EMPLOYMENT HISTORY, VERIFICATION, AND CRIMINAL HISTORY RECORDS CHECKS**

**Regulatory Plan:** This entry is Seq. No. 94 in Part II of this issue of the **Federal Register**.

**RIN:** 2120-AG32

**2358. +NOISE LIMITATIONS FOR AIRCRAFT OPERATIONS IN THE VICINITY OF GRAND CANYON NATIONAL PARK**

**Priority:** Other Significant

**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 rule will establish noise limitations for certain aircraft operated in the vicinity of Grand Canyon National Park. This action 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation 12/31/96 (61 FR 69334)

**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 Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8933

**RIN:** 2120-AG34

**2359. • +ESTABLISHMENT OF CORRIDORS IN THE GRAND CANYON NATIONAL PARK SPECIAL FLIGHT RULES AREA**

**Priority:** Other Significant

**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 action proposes to amend two of the Flight-Free Zones

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within the Grand Canyon National Park by establishing two corridors: the Bright Angel route would be a route for quiet technology only; the National Canyon route would create a viable air tour route while addressing concerns expressed by Native Americans. This proposal is made in response to comments received on related Grand Canyon rulemaking actions. This action is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	05/15/97	62 FR 26902
NPRM Comment Period End	06/16/97	
Final Rule	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David Metzbowler, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-3724

**RIN:** 2120-AG38

**2360. • PRIMARY CATEGORY SEAPLANES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

**CFR Citation:** 14 CFR 21

**Legal Deadline:** None

**Abstract:** This direct final rule increases the maximum weight limit applicable to seaplanes that are proposed for type certification in the primary category. When the FAA established the 2,700 pound maximum weight limit for primary category aircraft, seaplanes were not considered. Seaplanes generally weigh more than comparable landplanes because of the increased airframe weight and drag associated with their designs. Therefore, the 2,700 pound maximum weight limit for primary category aircraft results in a significantly inferior performance, range, and payload when applied to seaplanes than was originally intended for primary category landplanes. Because seaplanes weigh an average of 25 percent more than

comparable landplanes, the FAA has determined that a 3,375 pound maximum weight limit (a 25 percent increase over landplanes) would provide seaplanes with a level of utility comparable to primary category landplanes.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
10/00/97

**Additional Information:** Project Number: AIR-96-496P

**Agency Contact:** Brian A. Yanez, Certification Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-9588

**RIN:** 2120-AG39

**2361. • +REVISED STANDARDS FOR CARGO OR BAGGAGE COMPARTMENTS IN TRANSPORT CATEGORY AIRPLANES**

**Regulatory Plan:** This entry is Seq. No. 95 in Part II of this issue of the **Federal Register**.

**RIN:** 2120-AG42

**2362. • EXTENSION OF SFAR 73; ROBINSON R-22/R-44 SPECIAL TRAINING AND EXPERIENCE REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44110 to 44111; 49 USC 45102 to 45103; 49 USC 45301 to 45302

**CFR Citation:** 14 CFR 61

**Legal Deadline:** None

**Abstract:** This action will extend the current SFAR 73. This Special Federal Aviation Regulation (SFAR) establishes special training and experience requirements for pilots operating the Robinson model R-22 or R-44 helicopters to maintain safe operation of Robinson helicopters. It also establishes special training and experience requirements for certified flight instructors conducting student instruction or flight reviews. This

extension is necessary to continue the awareness of and training for the potential hazards of particular flight operations in the Robinson helicopters.

**Timetable:**

Action	Date	FR Cite
Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. O'Haver, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-7031

**RIN:** 2120-AG47

**2363. • +PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE FLIGHT INFORMATION REGION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA**

**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 44711; 49 USC 44712; 49 USC 44715; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46502; 49 USC 46504; 49 USC 46506 to 46507; ...

**CFR Citation:** 14 CFR 91

**Legal Deadline:** None

**Abstract:** This action amends Special Federal Aviation Regulation (SFAR) 79 to permit certain flight operations within the airspace controlled by the Democratic People's Republic of Korea. On April 18, 1997, the FAA issued SFAR 79, prohibiting flight operations within the territory and airspace of North Korea (See 62 FR 20076, 4/24/97). This rulemaking will modify the restricted airspace. This rulemaking is significant because of safety implications.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
10/00/97

**Additional Information:** Project Number: AGC-97-415R.

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**Agency Contact:** Patricia Lane, Office of the Chief Counsel, Department of Transportation, Federal Aviation

Administration, 800 Independence Avenue SW., Washington, DC 20591

Phone: 303 367-3515

RIN: 2120-AG48

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

**Long-Term Actions**

**2364. 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

**2365. +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 Transportation Employee 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	

Action	Date	FR Cite
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

**2366. +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

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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:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2367. 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

**Legal Deadline:** None

**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

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Federal Aviation Administration (FAA)

**2368. 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 amends 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 amended 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	05/21/97	62 FR 27920
Final Action Effective	06/20/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 12/09/94 (59 FR 63868); Regulatory Evaluation 05/21/97 (62 FR 27920)

**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

**2369. 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 revised 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. This rule is 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	07/29/97	62 FR 40702
Final Action Effective	08/28/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/29/95 (62 FR 44998)

**Additional Information:** Project Number ANM-95-238A.

**Agency Contact:** James Haynes, Airframe and Propulsion Branch, ANM-

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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

**2370. +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 rule revises 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.

**Timetable:**

Action	Date	FR Cite
NPRM	07/16/96	61 FR 37144
NPRM Comments	08/15/96	
Due on Parts 121, 125, and 135		
NPRM Comments	11/13/96	
Due on Part 129		
SNPRM	12/10/96	61 FR 65142
SNPRM Comment	12/30/96	
Period End		
Final Action	07/17/97	62 FR 38362
Final Action Effective	08/18/97	
Correction	08/21/97	62 FR 44408

**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. Note: Comments on

Paperwork Reduction Act issues presented in this document must be received by September 15, 1997.

**Agency Contact:** Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-8096

RIN: 2120-AF76

**2371. +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. These regulations reduce the noise immediately and make further

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 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.

**Timetable:**

Action	Date	FR Cite
NPRM	07/31/96	61 FR 40120
Correction	08/07/96	61 FR 41040
NPRM Comment	09/30/96	
Period End		
Extended Comment	10/21/96	61 FR 54716
Period End 11/14/96		
Final Action	12/31/96	61 FR 69302
FR Correction	01/16/97	62 FR 2445
Final Rule Request for	02/26/97	62 FR 8862
Comments		
Correction	03/13/97	62 FR 11768
Correction	03/17/97	62 FR 12687
Final Rule Comment	03/24/97	
Period End		
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:** Joseph White, Air Traffic Rules Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591  
Phone: 202 267-9246

RIN: 2120-AF93

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**2372. +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:** The FAA is terminating this rulemaking because it will be incorporated in other projects. This action was 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.

**Timetable:**

Action	Date	FR Cite
Action Terminated	07/21/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2373. 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:** This final rule changed 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 is 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	
Extended Comment Period End 3/3/97	02/07/97	62 FR 5788
Final Action	08/06/97	62 FR 42364
Correction	08/25/97	62 FR 45014
Final Action Effective	05/03/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 12/03/96 (61 FR 64230); Regulatory Evaluation 08/06/97 (62 FR 42364)

**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

**2374. FALSIFICATION OF SECURITY RECORDS**

**Priority:** Substantive, Nonsignificant

**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; 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 Disposition of Comments	06/10/97	62 FR 31672

**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

**2375. • +PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF AFGHANISTAN**

**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 44709; 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:** A current Special Federal Aviation Regulation (SFAR 67) was issued on May 13, 1994, this is the third extension. This action amends SFAR 67 to extend the prohibition on flight operations within the territory and airspace of Afghanistan. This amendment to SFAR 67 is in effect until May 10, 1998. This action is taken to prevent an undue hazard to persons and aircraft engaged in such flight operations as a result of the ongoing civil war in Afghanistan. This rulemaking is considered significant because of safety.

DOT—FAA

Completed Actions

**Timetable:**

Action	Date	FR Cite
Final Action	05/05/97	62 FR 26890
Final Action Effective	05/15/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**RIN:** 2120—AG40

**2376. • ORGANIZATIONAL CHANGES AND DELEGATIONS OF AUTHORITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 6002; 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 40114; 49 USC 44103; 49 USC 44106; 49 USC 44110; 49 USC 44701 to 44702; 49 USC 46102

**CFR Citation:** 14 CFR 11; 14 CFR 13; 14 CFR 15; 14 CFR 185

**Legal Deadline:** None

**Abstract:** This amendment adopts changes to office titles as a result of changes in the names of various offices within the Office of the Chief Counsel. These changes are necessary to make

the regulations and delegations of authority consistent with the current agency structure.

**Timetable:**

Action	Date	FR Cite
Final Action	09/04/97	62 FR 46864
Final Action Effective	09/04/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Poreda, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299  
Phone: 617 238-7942

**RIN:** 2120—AG41

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Federal Highway Administration (FHWA)

**2377. +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	

**Action**

Date	FR Cite
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

**2378. +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	09/23/97	62 FR 49654
Correction	09/29/97	62 FR 50892
Comment Period End	11/24/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley M. Braverman, Attorney, Department of Transportation, Federal Highway Administration, 400 VA Avenue SW., Suite 600, Washington, DC 20024  
Phone: 202 358-7035

**RIN:** 2125—AE06

**2379. • WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM; HOURS OF SERVICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 31101; 49 USC 31102; 49 USC 31103; 49 USC 31104; 49 USC 31108; 49 USC 31136; 49 USC 31140; 49 USC 31141; 49 USC 31161; 49 USC 31310; 49 USC 31311; 49 USC 31502; PL 104-59, sec 346

DOT—FHWA

Prerule Stage

**CFR Citation:** 49 CFR 395.3(b); 49 CFR 1.48

**Legal Deadline:** None

**Abstract:** The FHWA implemented the Winter Home Heating Oil Delivery State Flexibility Program for motor carriers making intrastate home heating oil deliveries within a 100 air-mile radius of a central terminal or distribution point in the States of Connecticut, New Jersey, New York, and Pennsylvania. The program ended April 30, 1997. The National Highway System Designation Act of 1995 (NHS) requires the FHWA to initiate a rulemaking within 90 days after the completion of the pilot program to determine, based in part on the results of the program, whether to permit States to grant waivers of 49 C.F.R 395.3(b) to motor carriers transporting home heating oil, or to amend the hours of service regulations for motor carriers delivering home heating oil during winter periods of peak demand.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**RIN:** 2125-AE18

**2380. • ENGLISH LANGUAGE REQUIREMENT; QUALIFICATIONS OF DRIVERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 504; 49 USC 31133; 49 USC 31136; 49 USC 31502

**CFR Citation:** 49 CFR 391; 49 CFR 1.48

**Legal Deadline:** None

**Abstract:** The current regulation is little changed from the original rule adopted in 1936. The American Civil Liberties Union (ACLU) has written to the Department asserting that the regulation, as written, is overly broad and subject to arbitrary enforcement, causing potential interference with constitutional guarantees of due process

and equal protection. The ACLU requested an opportunity to submit a comprehensive analysis of this issue. This ANPRM is intended to provide the ACLU with such an opportunity and to open this issue for public comment. The FHWA seeks to modify its current regulation to require drivers to possess the basic functional communication/comprehension ability necessary to ensure safety, consistent with applicable law.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/26/97	62 FR 45200
Comment Period End	10/27/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Richard H. Singer, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4009

**RIN:** 2125-AE19

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Federal Highway Administration (FHWA)

**2381. 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 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

Action	Date	FR Cite
Notice: State Inspection Programs	12/08/89	54 FR 50726
Petition: Comment Period End 07/02/90	05/02/90	55 FR 18355
Notice: State Inspection Programs	09/23/91	56 FR 47982
Denial of Petition NPRM	07/02/92	57 FR 29457
	04/00/98	

**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

DOT—FHWA

Proposed Rule Stage

**2382. 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, 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) 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	12/00/97	

**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

**2383. 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

**2384. +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	03/00/98	

**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

**2385. +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 a report 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.

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**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 NPRM	04/25/96 10/00/97	61 FR 18355

**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

**2386. +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	
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** Please note the following notice publications with respect to the advisory committee: 04/29/96 at 61 FR 18713; 07/26/96 at 61 FR 38133; 08/26/96 at 61 FR 43725; 10/07/96 at 61 FR 52401; 11/05/96 at 61 FR 56936; 12/17/96 at 61 FR 66250; and 02/13/97 at 62 FR 6753.

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

**RIN:** 2125-AD20

**2387. +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	11/00/97	

**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:** Larry W. Minor, Mechanical Engineer, 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-AD27

**2388. +DEPARTMENT OF TRANSPORTATION (FHWA, FTA, FRA AND USCG) NEPA AND RELATED PROCEDURES FOR TRANSPORTATION DECISIONMAKING**

**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

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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 rulemaking proceeding to conform review requirements for transit projects under the National Environmental Policy Act of 1969 to comparable requirements for highway projects. This action is considered significant because of potential public, congressional and environmental concerns and because it involves several interested departmental modes.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**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

**2389. +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

**2390. +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	12/00/97	

**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

**2391. 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	05/13/96	
SNPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Valerie Height, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway

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Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-1790  
**RIN:** 2125-AD66

**2392. 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
NPRM	12/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** David Lehrman, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-0994  
**RIN:** 2125-AD75

**2393. 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	10/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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

**2394. +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:**  
 Other, Statutory, March 1, 1996, See sections 103 and 408 of PL 104-88. Section 408 mandates that the FHWA issue an ANPRM dealing with a variety of fatigue-related.  
**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
Notice of Meeting	02/11/97	62 FR 6161
ANPRM Comment Period End	03/31/97	
ANPRM Extension of Comment Period	03/31/97	62 FR 15150
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

**2395. 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	04/00/98	

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

DOT—FHWA

Proposed Rule Stage

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

**RIN:** 2125-AD94

**2396. 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 intends to publish an NPRM proposing a rule to govern 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:** David Lehrman, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-0994

**RIN:** 2125-AE01

**2397. +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	
Notice of Meeting	04/21/97	62 FR 19252
Supplemental ANPRM	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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-AE05

**2398. +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	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**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

**2399. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MEXICAN MOTOR CARRIERS**

**Priority:** Substantive, Nonsignificant

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

DOT—FHWA

Proposed Rule Stage

**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	12/00/97	

**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

**2400. • +PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; REAR IMPACT GUARDS AND REAR IMPACT PROTECTION**

**Priority:** Other Significant

**Legal Authority:** PL 102-240, sec 1041(b); 49 USC 31136; 49 USC 31502

**CFR Citation:** 49 CFR 393; 49 CFR 1.48

**Legal Deadline:** None

**Abstract:** In this action, the FHWA proposes to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to require that certain trailers and semitrailers with a gross vehicle weight rating (GVWR) greater than 10,000 pounds and manufactured on or after January 26, 1998, be equipped with rear impact guards and meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 223. This action is intended to ensure that the rear impact protection requirements of the FMCSRs are consistent with the FMVSSs and to improve the safety of

operation of commercial motor vehicles by reducing the incidence of underride accidents in which the rear end of the trailer strikes and enters the passenger compartment. This action is considered significant because of substantial public interest in the prevention of rear-underride accidents involving commercial motor vehicles.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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-AE15

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Federal Highway Administration (FHWA)

**2401. 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	12/00/97	

**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, Chief, Program Services Division, Office

of Real Estate Services, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-2020

**RIN:** 2125-AC17

**2402. +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
NPRM	05/28/97	62 FR 28826
Interim Final Rule	05/28/97	62 FR 28807
Proposed Rule; Additional Comments	07/03/97	62 FR 36039
Final Action	11/00/97	

**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 Research & Standards, Vehicle and Operations Division, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-6347

**RIN:** 2125-AC71

**2403. 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	11/00/97	

**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

**2404. +PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; MANUFACTURED HOME TIRES**

**Priority:** Other Significant

**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:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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-AD41

**2405. 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

DOT—FHWA

Final Rule Stage

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. However, the FHWA is requesting comments on 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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-AD42

**2406. 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 paragraph in section 6F-8C, inadvertently disallowed the use of certain temporary signalling devices, now 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
Effective Date	01/04/95	
Final Action	10/00/97	

**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

**2407. 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&Es) 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

Action	Date	FR Cite
Interim Final Rule	08/11/96	
Comment Period End		
Final Action	12/00/97	

**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

**2408. RULES OF PRACTICE FOR MOTOR CARRIER PROCEEDINGS; INVESTIGATIONS; DISQUALIFICATIONS AND PENALTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 104; 49 USC 307

**CFR Citation:** 49 CFR 301; 49 CFR 302; 49 CFR 303; 49 CFR 304; 49 CFR 385; 49 CFR 386

**Legal Deadline:** None

**Abstract:** The FHWA proposes to amend its rules of practice for motor carrier safety, hazardous materials, and other enforcement proceedings, motor carrier safety ratings, driver qualification proceedings and its schedule of penalties for violations of the FMCSRs and the Hazardous Materials Regulations. The FHWA further proposes to add provisions on investigative authority and procedures and general motor carrier responsibilities. These rules would increase the efficiency of the procedures, enhance due process and the awareness of the public and regulated community, and accommodate recent programmatic changes. The rules would apply to all motor carriers, other business entities and individuals involved in motor carrier safety and hazardous materials administrative actions on the effective date of the final rule.

DOT—FHWA

Final Rule Stage

**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	10/21/96	61 FR 54601
SNPRM Comment Period End	11/20/96	
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

**2409. 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	12/00/97	

**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

**2410. 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	05/12/97	62 FR 14662
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Deborah M. Freund, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5541

**RIN:** 2125-AD72

**2411. FEDERAL-AID 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(f); 23 USC 315

**CFR Citation:** 23 CFR 470

**Legal Deadline:** None

**Abstract:** This regulatory action amends 23 CFR 470 in accordance with legislation enacted in 1991 and 1995. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) 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 (NHS Act) authorized the initial National Highway System and also authorized the Secretary to approve modifications. The action also consolidates in appendices all nonregulatory guidance material issued previously by the FHWA on Federal-aid highway systems.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/19/97	62 FR 33351
Interim Final Rule Effective	07/21/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The FHWA issued an interim final rule with an opportunity for public comment. The FHWA believes that prior notice and opportunity for comment were unnecessary within the meaning of 5 U.S.C. 553(b)(3)(B) because this rule amends existing regulations in accordance with the requirements of the ISTEA and the NHS Act 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.

**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

**2412. 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	
SNPRM	06/18/97	62 FR 33047
Comment Period End	08/18/97	
Final Action	12/00/97	

**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 20590

Phone: 202 366-2067  
Fax: 202 366-3409  
Email: pgarrett@intergate.dot.gov  
**RIN:** 2125-AD78

**2413. RAILROAD HIGHWAY PROJECTS**

**Priority:** Substantive, Nonsignificant

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

**Legal Authority:** 23 USC 315; 23 USC 109(e); 23 USC 120(c); 23 USC 130

**CFR Citation:** 23 CFR 140; 23 CFR 646

**Legal Deadline:** None

**Abstract:** The FHWA proposes to amend its regulations on railroad highway projects. The proposed amendments would require railroads to submit final billings within one year following completion of work, delete the requirements of a State's certification that work was completed, increase the ceiling for lump sum agreements from \$25,000 to \$100,000 and incorporate changes brought about by ISTEA. The FHWA proposes these changes to conform railroad/highway regulations to more recent laws or regulations, and provide State highway agencies clarification and more flexibility in implementing them.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/27/97	62 FR 45236
Comment Period End	10/27/97	

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

**RIN:** 2125-AD86

**2414. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; PEDESTRIAN, BICYCLE, AND SCHOOL WARNING SIGNS**

**Priority:** Substantive, Nonsignificant

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

**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
Comment Period Extended	10/17/96	61 FR 54111
Extended Comment Period End	02/15/97	
Final Action	12/00/97	

**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

DOT—FHWA

Final Rule Stage

**2415. 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

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

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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

**2416. • CERTIFICATION OF SPEED LIMIT ENFORCEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-59

**CFR Citation:** 23 CFR 1260

**Legal Deadline:** None

**Abstract:** Section 205(d) of the National Highway System Designation

Act of 1995 repealed the National Maximum Speed Limit (NMSL) Compliance Program. It made the repeal effective on December 8, 1995, but provided that the Governors of certain States could delay the effective date of the repeal. All possible delay periods have now passed. This action provides that 23 CFR part 1260, which contains the procedures for implementing the NMSL, is now rescinded.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Suzanne O'Malley, Attorney, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-0761

**RIN:** 2125-AE17

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

Federal Highway Administration (FHWA)

**2417. +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 ended 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	

Action	Date	FR Cite
ANPRM Comment Period Extended to	01/04/88	53 FR 42
NPRM	10/05/90	55 FR 41028
NPRM Comment Period Extended to	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:** Under RIN 2125-AD73, the FHWA adopted a final rule to allow drivers holding valid waivers from both the vision and diabetes standards to continue to operate in interstate commerce after March 31, 1996. See 61 FR 606 (Jan. 8, 1996) (notice of proposed rulemaking); 61 FR 13338 (March 26, 1996) (final rule); 61 FR 17253 (April

19, 1996) (final rule; technical correction). With the closing of the diabetes waiver study (03-31-96), 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 (12-31-97).

**Agency Contact:** Sandra L. Zywockarte, Health and Welfare Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-2981

**RIN:** 2125-AB91

**2418. +COMMERCIAL DRIVER'S LICENSE STANDARDS; BIOMETRIC IDENTIFIER**

**Priority:** Other Significant

**Legal Authority:** PL 100-690, sec 9105

**CFR Citation:** 49 CFR 383

**Legal Deadline:**

DOT—FHWA

Long-Term Actions

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

**2419. +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:** Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5884

**RIN:** 2125-AC28

**2420. 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

**2421. 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

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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

**2422. +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	

Action	Date	FR Cite
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:** Under RIN 2125-AD73, the FHWA adopted a final rule to allow drivers holding valid waivers from both the vision and diabetes standards to continue to operate in interstate commerce after March 31, 1996. See 61 FR 606 (Jan. 8, 1996) (notice of proposed rulemaking); 61 FR 13338 (March 26, 1996) (final rule) 61 FR 17253 (April 19, 1996) (final rule; technical correction). (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;

**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

**2423. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION: INTERMODAL CARGO CONTAINERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 3102; 49 USC 31136; 49 USC 31502

**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:** Larry W. Minor, Mechanical Engineer, Office of Motor Carrier Research and Standards,

Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4012

**RIN:** 2125-AC74

**2424. +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:** Larry W. Minor, Mechanical Engineer, 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-AC78

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**2425. +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

**Legal Deadline:** None

**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

**2426. 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:** FHWA intends to continue review and analysis of all aspects of the HBA under RIN 2125-AD24 to propose changes to reduce the complexity of the highway beautification regulations and to emphasize the role of the State in its implementation. Intended changes which appeared in a prior Agenda under RIN 2125-AD88 related to the Dire Emergency Supplemental Appropriations Act of 1992 have been suspended and consolidated under this rulemaking.

**Agency Contact:** Robert A. Johnson, Chief, Program Services Division, Office of Real Estate Services, Department of Transportation, Federal Highway

Administration, 400 Seventh Street SW., Washington DC 20590  
Phone: 202 366-2020

**RIN:** 2125-AD24

**2427. 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:** Larry W. Minor, Mechanical Engineer, 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-AD25

**2428. 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.

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**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

**2429. 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	04/14/97	62 FR 18170
Extension of Comment Period	06/12/97	62 FR 32066
NPRM Comment Period End	06/13/97	

**Action Date FR Cite**

Comment Period End 07/28/97  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**Agency Contact:** Larry W. Minor, Mechanical Engineer, 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-AD40

**2430. 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

**2431. 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

**Legal Deadline:** None

**Abstract:** In this action, the FHWA proposes to streamline the Sec. 402 grant approval process. In a separate notice (60 FR 47418) the FHWA announced the creation of a pilot highway safety program for FY 1996 State highway programs under 23 USC 402 and the waiver of certain procedures for States that have elected to participate in the pilot program.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/26/97	62 FR 34397
Interim Final Effective	06/26/97	
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

**2432. 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

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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

**2433. +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

**Legal Deadline:** None

**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

**2434. 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 W. Minor, Mechanical Engineer, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4012

**RIN:** 2125-AD82

**2435. +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 more detailed 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	10/25/96	

Period End

Next Action Undetermined

**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

**2436. 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:** 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

**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.

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**Timetable:**

Action	Date	FR Cite
Notice of Proposed Amendments	01/06/97	62 FR 691

Action	Date	FR Cite
Comment Period End	08/30/97	
Final Action	12/00/99	

**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

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

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**2437. 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 is establishing a program requiring the application of value engineering (VE) in the design and construction of Federal-aid highway projects funded under the grant-in-aid process. This action also requires 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	02/14/97	62 FR 6866

**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

**2438. 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 incorporating 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	04/01/97	62 FR 15392

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
 04/01/97

**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

**2439. 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

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Action	Date	FR Cite
NPRM Comment Period End	04/01/96	
Final Action	02/14/97	62 FR 6869
Final Action Effective	03/17/97	

**Small Entities Affected:** None  
**Government Levels Affected:** State  
**Analysis:** Regulatory Evaluation  
 04/01/97  
**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

**2440. 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:**

Action	Date	FR Cite
Action Terminated	07/22/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** Future action on this item will be handled under RIN 2125-AD24  
**Agency Contact:** Robert A. Johnson, Chief, Program Services Division, Office of Real Estate Services, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-2020  
**RIN:** 2125-AD88

**2441. 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	08/30/97	62 FR 42903
Final Action Effective	09/30/97	

**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

**2442. COMPENSATED INTERCORPORATE HAULING**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 USC 13505  
**CFR Citation:** 49 CFR 369  
**Legal Deadline:** None  
**Abstract:** This action removes 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	07/16/97	62 FR 38034

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Thomas Vining, Department of Transportation, Federal Highway Administration, 400 VA Avenue SW., Suite 600, Washington, DC 20024  
 Phone: 202 358-7028  
**RIN:** 2125-AE02

**2443. 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 is removing 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

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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	07/16/97	62 FR 38035

**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 VA Avenue SW., Suite 600, Washington, DC 20024  
Phone: 202 358-7028

**RIN:** 2125-AE03

**2444. 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 has modified the National Network for Commercial Motor Vehicles by adding a route in North Carolina as requested by the State of North Carolina. This twenty mile segment was reviewed by State and FHWA offices for general adherence to the criteria of 23 CFR 658.9 and found to provide for the safe operation of larger commercial vehicles and for the needs of interstate commerce.

**Timetable:**

Action	Date	FR Cite
NPRM	10/21/96	61 FR 54588
NPRM Comment Period End	12/20/96	
Final Action	06/05/97	62 FR 30757

**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

**2445. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PROPERTY; GENERAL DEFINITIONS; HOURS OF SERVICE OF DRIVERS; CORRECTING AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**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	04/08/97	62 FR 16707

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** This action was 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

**2446. TRUCK SIZE AND WEIGHT; TECHNICAL CORRECTIONS**

**Priority:** Substantive, Nonsignificant

**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 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, 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, Technical Corrections	03/05/97	62 FR 10178

**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

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**2447. MOTOR CARRIER ROUTING REGULATIONS; DISPOSITION OF LOSS AND DAMAGE CLAIMS AND PROCESSING SALVAGE; PRESERVATION OF RECORDS**

**Priority:** Info./Admin./Other

**Legal Authority:** PL 104-88, sec 204

**CFR Citation:** 49 CFR 370; 49 CFR 356; 49 CFR 379

**Legal Deadline:** None

**Abstract:** This 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	06/12/97	62 FR 32040

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2448. TECHNICAL AMENDMENTS TO FORMER INTERSTATE COMMERCE COMMISSION REGULATIONS IN ACCORDANCE WITH THE ICC TERMINATION ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-88, sec 204

**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; 49 CFR 378

**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	04/01/97	62 FR 15417
Final Action, Technical Amendments	06/12/97	62 FR 32040

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2449. • COMMERCIAL DRIVER'S LICENSE PROGRAM AND CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING; CONFORMING AND TECHNICAL AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 504; 49 USC 31133; 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502; 49 USC 104; 49

USC 501 et seq; 49 USC 31101 et seq; 49 USC 31138; 49 USC 31139

**CFR Citation:** 49 CFR 355; 49 CFR 382; 49 CFR 383; 49 CFR 384; 49 CFR 389; 49 CFR 391; 49 CFR 392; 49 CFR 1.48

**Legal Deadline:** None

**Abstract:** The FHWA is making technical amendments to its regulations regarding physical qualifications and examinations for interstate drivers and controlled substance testing for drivers under the commercial driver's license program. The amendments are necessary to correct minor errors and to remove obsolete regulations. This final rule will clarify the agency's statutory authorities and will provide current applicable controlled substances testing regulations. Because this final rule simply makes minor edits to the FHWA's regulations to conform them to various USC citations and to remove obsolete regulations, the FHWA believes that prior notice and opportunity to comment are not required under 5 USC 553(b)(3)(B).

**Timetable:**

Action	Date	FR Cite
Final Action; Technical Amendments	07/11/97	62 FR 37150
Final Action Effective	08/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Snider, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington DC 20590  
Phone: 202 366-6121

**RIN:** 2125-AE16

**DEPARTMENT OF TRANSPORTATION (DOT)  
National Highway Traffic Safety Administration (NHTSA)**

Prerule Stage

**2450. 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

**Legal Deadline:** None

**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
Preliminary Evaluation Report Published	03/20/87	52 FR 9609

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Prerule Stage

Action	Date	FR Cite
Interim Evaluation Report Published	08/04/89	54 FR 32153
Interim Evaluation Report Comments Reviewed and Docketed	02/21/90	
Complete Review	06/00/98	

**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

**2451. 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	09/00/98	

**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-AE95

**2452. 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. To complete this review, the agency has requested permission to collect a sample of odometer readings of registered passenger cars that are less than 10 years old from vehicle dealers, distributors, vehicle title files, and state Department of Motor Vehicle agencies. The Office of Management and Budget is soliciting public comments on the proposed collection of this information. Congress has directed the agency to conduct this review.

**Timetable:**

Action	Date	FR Cite
Begin Review	10/01/95	
Request for Comment	09/23/96	61 FR 49809
Comment Period End	11/11/96	
Request for Comment	06/06/97	62 FR 31186
Comment Period End	07/07/97	
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

**2453. 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.

**Abstract:** The standard requires certain passenger motor vehicles have identifying numbers or symbols to be 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. The agency seeks public review and comment on this preliminary report prior to its submission to Congress. The report does not contain recommendations at this time. The department will develop recommendations after a review of public comments.

**Timetable:**

Action	Date	FR Cite
Preliminary Evaluation Report	06/26/97	62 FR 34494
Begin Review	06/26/97	62 FR 34494
Comment Period End	08/11/97	
Complete Review	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The preliminary report indicated that theft rates, which increased during the 1980's, leveled off or even began to decline after 1989-90. Recovery rates changed little during 1984-95. Preliminary indications are that parts marking and anti-theft devices have had beneficial effects on auto thefts and/or recoveries. The provisions of the 1984 and 1992 Theft Acts along with parts marking and anti-theft devices have given law enforcement tools to deter thefts, trace stolen vehicles and parts, and apprehend and convict thieves.

**Agency Contact:** Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400

DOT—NHTSA

Prerule Stage

Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-2560  
 Fax: 202 366-2559  
**RIN:** 2127-AF55

**2454. ADD-ON SEAT BELT DEVICES (SECTION 610 REVIEW)**

**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. As part of this action, a small entities review under 5 USC section 610 will be included

**Timetable:**

Action	Date	FR Cite
Request for Comments	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400

Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4919  
 Fax: 202 366-4329  
**RIN:** 2127-AG49

**2455. +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	10/00/97	

**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

**2456. • REVIEW: CHILD SAFETY SEAT REGISTRATION**

**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:** This evaluation involves analysis of the effectiveness of registering child safety seats to increase response to reports of faulty seats. This regulation was selected for review because of public interest in child passenger safety.

**Timetable:**

Action	Date	FR Cite
Begin Review	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charles 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-AG93

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

National Highway Traffic Safety Administration (NHTSA)

**2457. +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	10/00/97	

**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

**2458. 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

DOT—NHTSA

Proposed Rule Stage

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	
SNPRM	03/00/98	

**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

**2459. 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
ANPRM Comment Period End	09/29/95	
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** George Soodoo, Group Leader, Vehicle Dynamics

Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5274  
Fax: 202 366-4329

**RIN:** 2127-AF05

**2460. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** This action will respond to RIN 2127-AE83.

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4919  
Fax: 202 366-4329

**RIN:** 2127-AF36

**2461. 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	
SNPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 10/26/95 (60 FR 54833)

**Additional Information:** On February 27, 1997 (62 FR 8883), the agency terminated rulemaking in which the agency had asked for comments on whether the performance and installation of front and rear fog lamps should be regulated. In response to these comments, the SAE has established a Fog Lamp Task Force to develop an internationally-acceptable fog lamp standard, on which a Federal standard could be based. The agency is continuing to review comments on the other issues stated in the October 26, 1995, notice.

**Agency Contact:** Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
Fax: 202 366-4329

**RIN:** 2127-AF75

DOT—NHTSA

Proposed Rule Stage

**2462. 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 certain sealed beam headlamp requirements in the standard. Manufacturers will no longer have to petition for rulemaking to change the specifications of sealed beam lamps. This will result in an administratively restructured and clarified section of the standard dealing exclusively with headlamp requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**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 VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
Fax: 202 366-4329

**RIN:** 2127-AF89

**2463. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS: HEAD IMPACT PROTECTION**

**Regulatory Plan:** This entry is Seq. No. 96 in Part II of this issue of the **Federal Register**.

**RIN:** 2127-AG07

**2464. +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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St. SW., Washington, DC 20590  
Phone: 202 366-4919  
Fax: 202 366-4329

**RIN:** 2127-AG12

**2465. 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 proposes 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	08/07/97	62 FR 42469

**Action Date FR Cite**

NPRM Comment Period End	10/06/97	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
08/07/97 (62 FR 42469)

**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

**2466. MODIFIED VEHICLES TO ACCOMMODATE A PERSON'S DISABILITY (SECTION 610 REVIEW)**

**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. As part of this action, a small entities review under 5 USC Section 610 will be included.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**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

DOT—NHTSA

Proposed Rule Stage

**2467. 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	06/17/96	61 FR 30586
Comment Period End	10/15/96	
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanDerstine, 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-AG41

**2468. 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	10/00/97	

**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

**2469. 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	10/00/97	

**Small Entities Affected:** Undetermined

**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

**2470. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mary Versailles, Office of Planning and Consumer Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-2057  
Fax: 202 366-4329

**RIN:** 2127-AG53

**2471. 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

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Proposed Rule Stage

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	10/00/97	

**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

**2472. 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	10/00/97	

**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, Principal 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

**2473. 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	10/00/97	

**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

**2474. +ADVANCED AIR BAGS**

**Regulatory Plan:** This entry is Seq. No. 97 in Part II of this issue of the **Federal Register**.

RIN: 2127-AG70

**2475. 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 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Backaitis, Principal 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-AG74

**2476. • ADVANCED AIR BAG DUMMY RULE FOR HYBRID III TYPE 6-YEAR-OLD-SIZE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 CFR 322; 49 CFR 30111; 49 CFR 30115; 49 CFR 30117; 49 CFR 30166

**CFR Citation:** 49 CFR 572; 49 CFR 571.208; 49 CFR 571.213

**Legal Deadline:** None

**Abstract:** The agency is proposing specifications for a new Hybrid III type 6-year-old-size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard Nos. 208 and 213. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced restraints technologies for crash protection of mid-size children in a variety of automobile crash impacts.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Backaitis, Principal Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway

DOT—NHTSA

Proposed Rule Stage

Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4912  
 Fax: 202 366-4329  
 RIN: 2127-AG76

**2477. • ADVANCED AIR BAG DUMMY RULE FOR HYBRID III TYPE 3-YEAR-OLD-SIZE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 CFR 322; 49 CFR 30111; 49 CFR 30115; 49 CFR 30117; 49 CFR 30166

**CFR Citation:** 49 CFR 572; 49 CFR 571.208; 49 CFR 571.213

**Legal Deadline:** None

**Abstract:** The agency is proposing specifications for a new Hybrid III type 3-year-old-size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard Nos. 208 and 213. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced restraints technologies for crash protection of smaller size children in a variety of automobile crash impacts.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Backaitis, Principal 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-AG77

**2478. • ADVANCED AIR BAG DUMMY RULE FOR CRABI 12 MONTH OLD SIZE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 CFR 322; 49 CFR 30111; 49 CFR 30115; 49 CFR 30117; 49 CFR 30166

**CFR Citation:** 49 CFR 572; 49 CFR 571.208; 49 CFR 571.213

**Legal Deadline:** None

**Abstract:** The agency is proposing specifications for a new CRABI 12 month old size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard Nos. 208 and 213. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced forward and rearward facing child restraints technologies, as well as, protection of smaller size children in car beds in a variety of automobile crash impacts.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Backaitis, Principal 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-AG78

**2479. • DIODES USED ON SCHOOL BUS STOP SIGNAL ARMS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 CFR 322; 49 CFR 30111; 49 CFR 30115; 49 CFR 30117; 49 CFR 30166

**CFR Citation:** 49 CFR 571.131

**Legal Deadline:** None

**Abstract:** In response to a petition for rulemaking, the agency proposes to amend the standard with respect to the conspicuity requirements for stop signal arms. Specifically, the amendment would permit the use of light emitting diodes (LEDs). Such an amendment would allow States and local jurisdictions to purchase stop signal arms with these types of lamps.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/97	62 FR 42226
NPRM Comment Period End	10/06/97	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/06/97 (62 FR 42226)

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919  
 Fax: 202 366-4329

RIN: 2127-AG81

**2480. • MOTORCYCLE HEADLAMP LOCATION REQUIREMENT**

**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 amend the lighting standard to remove the design restriction on the location of headlamps if the motorcycle voluntarily is equipped with two headlamps instead of one headlamp. Petition was granted.

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/97	62 FR 47414
Comment Period End	10/24/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanDerstine, 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-AG84

**2481. • GLARE REDUCTION FROM DAYTIME RUNNING 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:** Complaints of glare from optionally installed, original equipment daytime running lamps are numerous.

DOT—NHTSA

Proposed Rule Stage

Even though limits on glare intensity exist for these lamps, the volume of complaints implies that the achieved intensities by some types of these lamps are still too high. In order to minimize complaints of glare, the agency plans to propose establishing lower maximum intensity values for the more intense types of lamps.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AG86

**2482. • ADMINISTRATIVE REWRITE AND REFERENCE UPDATE TO THE LIGHTING STANDARD**

**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 rewrite the lighting standard. The rewrite will segregate the performance requirements by lamp/device type and will provide a complete listing of performance requirements, referring to referenced documents, solely for test procedures. The rewrite will also include reference to the most current versions of industry consensus standards. The rewrite is important because of the standard's age and numerous amendments which have made it difficult to read and interpret. The revised standard should reduce burden especially to small manufacturers because of improved clarity.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Control

Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AG87

**2483. • SIGNAL LAMPS USED WITH LIGHT EMITTING DIODES**

**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 revise the requirements for signal lamps equipped with 3 or more light emitting diodes (LED). The current requirements have become design restrictive and a service burden for vehicle and signal lamp manufacturers.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, 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  
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**RIN:** 2127-AG88

**2484. • RETARDERS AND STOP LIGHTS OPERATION**

**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 plans to propose requiring stop lamp illumination during the operation of a retarder system. A retarder is a supplementary braking system that is independent from the service brakes. Retarders are increasingly being used as a wear-free additional braking system on buses, trucks and heavy-duty vehicles.

Currently, there is no requirement that the stop lamps be illuminated to indicate that the vehicle is decelerating as a result of retarder operation. The lack of a clear indication of braking represents an increase in risk of a rear-end crash to any trailing driver. The agency believes that the lack of a brake warning signal during retarder operation (braking) is a safety issue that needs to be addressed.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, 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  
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**RIN:** 2127-AG89

**2485. • STATE ISSUED IDENTIFICATION DOCUMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-208, sec 656

**CFR Citation:** 23 CFR 1325

**Legal Deadline:** None

**Abstract:** The agency is proposing to accept, for identification purposes, State issued drivers licenses or comparable identification documents that meet certain criteria set forth in this rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** William Holden, Division Chief, Driver Register and Traffic Records 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-AG91

DOT—NHTSA

Proposed Rule Stage

**2486. • MOTORCYCLE MOUNTED REFLEX REFLECTOR HEIGHT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

**CFR Citation:** 49 CFR 571.208

**Legal Deadline:** None

**Abstract:** In response to a petition for rulemaking, the agency is considering allowing a lower minimum mounting

height for side reflex reflectors on motorcycles. The intent is to harmonize United States lighting safety standards with European and Asian reflector position regulations and improve the flow of trade by creating "windows of harmonization" that will allow manufacturers to market "common" vehicles in global markets.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AG92

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

National Highway Traffic Safety Administration (NHTSA)

**2487. TRUCK REAR UNDERRIDE 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 571.223; 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.

**Timetable:**

Action	Date	FR Cite
NPRM	01/08/81	46 FR 21361
NPRM Comment Period End	04/08/81	
Comment Period End	01/03/92	57 FR 252 03/04/92

Action	Date	FR Cite
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	10/00/97	

**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. The agency is reviewing six petitions for reconsideration concerning several issues.

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919  
Fax: 202 366-4329

**RIN:** 2127-AA43

**2488. +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 (60 FR 43031). In response to petitions for reconsideration of this final rule, the agency is including another phase-in option, allowing manufacturers to carry forward credits for vehicles certified to the new requirements prior to the beginning of the phase-in period, excluding buses with a GVWR of more than 8,500 pounds, specifying that all attachments to the upper interior components are to remain in place during compliance testing, and making other changes to the test procedure clarifying some areas of confusion.

**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	

DOT—NHTSA

Final Rule Stage

Action	Date	FR Cite
Final Rule Effective	08/18/95	60 FR 43031
Petitions Due	09/18/95	
Action on Petitions	04/08/97	62 FR 16718
Petitions Due	05/23/97	
Action on Petitions	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/08/97 (62 FR 16718)

**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  
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**RIN:** 2127-AB85

**2489. 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 published a proposal 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 were requested on the difference between the agency's proposed test procedures and requirements and those of the Society of Automotive Engineers. After reviewing these comments, the agency has decided to terminate this rulemaking because the limited safety benefits could not be justified by the costs associated with the proposed requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	05/17/94	59 FR 25590

Action	Date	FR Cite
NPRM Comment	07/18/94	
Period End		
To Be Terminated	10/00/97	

**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:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AC62

**2490. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Steve Kratzke, Director, Office of Crash Avoidance Standards, Vehicle Dynamics Division, 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-AC66

**2491. +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	09/18/89	54 FR 30427
Period End		
NPRM	01/22/92	57 FR 2496
NPRM Comment	03/23/92	
Period End		
Comment Period Extended to	03/25/92	57 FR 10327
05/22/92		
Correction	04/09/92	57 FR 12286
To Be Terminated	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 01/22/92 (57 FR 2496)

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AC85

**2492. DRIVING RANGE DETERMINATION FOR DUAL FUEL ELECTRIC PASSENGER AUTOMOBILES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 32901; 49 USC 32905; 49 USC 32906

DOT—NHTSA

Final Rule Stage

**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 will 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	10/00/97	

**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

**2493. 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, the agency has proposed to

revise the test procedures to make them more suitable to testing vehicles with highly sloped roofs or raised roofs. This action was taken after reviewing the comments the agency received from the published Request for Comments. Petitions were granted.

**Timetable:**

Action	Date	FR Cite
Request for Comments Due 2/10/95	12/27/94	59 FR 66504
NPRM	02/27/97	62 FR 8906
NPRM Comment Period End	04/28/97	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/27/97 (62 FR 8906)

**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  
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**RIN:** 2127-AF40

**2494. 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	10/00/97	

**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  
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**RIN:** 2127-AF41

**2495. 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 proposing to delete the material and manufacturing process requirements for compressed natural gas fuel containers. This proposal is based on the most recent proposed voluntary industry standard. The agency also believes that such an amendment would facilitate technological innovation, without any detriment to safety.

**Timetable:**

Action	Date	FR Cite
NPRM	05/30/97	62 FR 29323
NPRM Comment Period End	07/14/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/30/97 (62 FR 29323)

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400

DOT—NHTSA

Final Rule Stage

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RIN: 2127-AF51

**2496. 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 provides 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	10/00/97	

**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  
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RIN: 2127-AF66

**2497. 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	05/06/96	61 FR 20170
	06/20/96	
Petitions Due	06/20/96	
Action on Petitions	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/06/96 (61 FR 20170)

**Additional Information:** The agency is reviewing two petitions for reconsideration.

**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  
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RIN: 2127-AF67

**2498. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 11/04/96 (61 FR 56652)

**Agency Contact:** George Soodoo, Group Leader, Vehicle Dynamics Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5274  
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RIN: 2127-AF72

**2499. 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	03/21/96	61 FR 11587
	5/6/96	
Petitions Due	05/06/96	
Action on Petitions	10/00/97	

DOT—NHTSA

Final Rule Stage

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

**Analysis:** Regulatory Evaluation  
 06/26/95 (60 FR 32935)

**Additional Information:** The agency is reviewing two petitions for reconsideration.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AF74

**2500. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
 06/04/96 (61 FR 28124)

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AF83

**2501. 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 permitting 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.

**Timetable:**

Action	Date	FR Cite
NPRM	05/14/96	61 FR 24265
NPRM Comment Period End	07/15/96	
Final Action	10/00/97	

**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  
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 Fax: 202 366-4329

**RIN:** 2127-AF91

**2502. 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, and 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
Further Action on Petitions	10/00/97	

**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. The agency is reviewing an additional petition for reconsideration to amend heavy vehicle braking requirements in several areas; including the burnish procedure and test sequence.

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 Phone: 202 366-5274  
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**RIN:** 2127-AF96

**2503. 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

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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	10/00/97	

**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  
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**RIN:** 2127-AG01

**2504. 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 Rule	09/05/97	62 FR 46907
Final Rule Effective	10/20/97	
Action on Petitions	04/00/98	

**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.

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**RIN:** 2127-AG05

**2505. 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

Action	Date	FR Cite
NPRM Comment Period End	02/12/96	
Final Rule Effective	09/23/96	61 FR 49691 3/1/97
Petitions Due	11/07/96	
Action on Petitions	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 12/13/95 (60 FR 64010)

**Additional Information:** The agency is reviewing two petitions for reconsideration concerning the intensity, photometric requirements and the location of the ABS malfunction indicator lamp.

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**RIN:** 2127-AG06

**2506. +FEDERAL MOTOR VEHICLE SAFETY STANDARDS; OCCUPANT CRASH PROTECTION—WARNING LABELS**

**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

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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.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/09/95	60 FR 56554
Comment Period End	12/26/95	
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	
Final Action	01/02/97	62 FR 31
Final Action Effective	01/02/97	
Petitions Due	01/13/97	
Interim Final Rule	04/17/97	62 FR 18723
Comment Period End	06/02/97	
Action on Petitions	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 11/27/96 (61 FR 60206)

**Additional Information:** The November 27, 1996, final rule stated that one of the labels would have the following statement: "Children Can Be KILLED or INJURED by Passenger Air Bags." The January 2, 1997, final rule, technical amendment revised this label to read: "Children May Be KILLED or INJURED by Passenger Air Bags." 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. In response to a request from a manufacturer, the agency published an interim final rule; request for comments to allow additional wording in the required text of the label which clarifies the warning and will not lessen the safety of child restraints.

**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

**2507. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 08/30/96 (61 FR 45927)

**Agency Contact:** Stanley Backaitis, Principal Engineer, Office of Crashworthiness Standards, 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

**2508. 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 is having special motor vehicle crash data collected by the Florida Highway Patrol and the Pennsylvania State Police.

**Timetable:**

Action	Date	FR Cite
Begin Review	09/01/95	
Request for Comment Comment Period End	07/01/96	61 FR 33891
End	08/30/96	
Preliminary Evaluation Report	09/00/98	
Interim Evaluation Report	09/00/99	
Complete Review	09/00/00	

**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

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**RIN:** 2127-AG19

**2509. NATIONAL DRIVER REGISTER PROBLEM DRIVER POINTER SYSTEM**

**Priority:** Info./Admin./Other

**Legal Authority:** 49 USC 30301

**CFR Citation:** 23 CFR 1327

**Legal Deadline:** None

**Abstract:** This interim final rule amends the agency's National Driver Register (NDR) regulations to implement an amendment made by the Pilot Records Improvement Act of 1996. The amendment authorizes air carriers to receive information from the National Driver Register regarding the motor vehicle driving records of individuals who are seeking employment with an air carrier as a pilot. This final rule establishes the procedures for those pilots to request, and for those air carriers to receive, NDR information.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/19/97	62 FR 27193
Interim Final Rule Effective	05/19/97	

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Action	Date	FR Cite
Request for Comments Due	07/18/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** William Holden, Division Chief, Driver Register and Traffic Records 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

**2510. DEALER NOTIFICATION OF DEFECT OR NONCOMPLIANCE DETERMINATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 30102; 49 USC 30103; 49 USC 30111; 49 USC 30112; 49 USC 30115; 49 USC 30116; 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30163; 49 USC 30165; 49 USC 30166

**CFR Citation:** 49 CFR 577

**Legal Deadline:** None

**Abstract:** The final rule will implement an amendment to 49 USC chapter 301 which prohibits dealers from selling motor vehicles or motor vehicle equipment that have been determined to contain a safety-related defect or noncompliance with a Federal motor vehicle safety standard 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	10/00/97	

**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

**2511. 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 Rule	09/30/97	62 FR 51064
Petitions Due	11/14/97	
Final Rule Effective	12/01/97	
Action on Petitions	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/02/96 (61 FR 19602)

**Agency Contact:** George Soodoo, Group Leader, Vehicle Dynamics Group, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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**RIN:** 2127-AG35

**2512. 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 11/15/96 (61 FR 58504)

**Agency Contact:** Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

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**RIN:** 2127-AG36

**2513. 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	10/00/97	

**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

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**RIN:** 2127-AG37

**2514. 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 published a request for 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 is seeking 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	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, 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

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**RIN:** 2127-AG38

**2515. 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	05/14/97	62 FR 26466
NPRM Comment Period End	06/30/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/14/97 (62 FR 26466)

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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**RIN:** 2127-AG47

**2516. 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 proposing to delete the requirement that the lap belt portion of a safety belt system be designed to remain on the pelvis under all conditions. Petition was granted.

**Timetable:**

Action	Date	FR Cite
NPRM	07/07/97	62 FR 36251
NPRM Comment Period End	09/05/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 07/07/97 (62 FR 36251)

**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

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**RIN:** 2127-AG48

**2517. +UNIFORM CHILD ANCHORAGES (SECTION 610 REVIEW)**

**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

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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. As part of this action, a small entities review under 5 USC section 610 will be included.

**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	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/20/97 (62 FR 7858)

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

**RIN:** 2127-AG50

**2518. 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	04/21/97	62 FR 19253
NPRM Comment Period End	06/20/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/21/97 (62 FR 19253)

**Agency Contact:** Noble Bowie, 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

**2519. 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 has proposed 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

Action	Date	FR Cite
NPRM Comment Period End	02/24/97	
Final Action	11/00/97	

**Small Entities Affected:** Undetermined

**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

**2520. +DEPOWERING OF AIR BAGS**

**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 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

**CFR Citation:** 49 CFR 571.208

**Legal Deadline:** None

**Abstract:** The agency has temporarily amended the occupant crash protection standard to ensure that vehicle manufacturers can quickly depower air bags so that they inflate less aggressively. The agency is taking this action to provide an immediate, but interim, solution to the problem of 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 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 807
NPRM Comment Period End	02/06/97	
Final Action	03/19/97	62 FR 12960
Final Action Effective	03/19/97	
Petitions Due	05/05/97	
Action on Petitions	12/00/97	

**Small Entities Affected:** None

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**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
03/19/97 (62 FR 12960)

**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  
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**RIN:** 2127-AG59

**2521. +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	10/00/97	

**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

**2522. +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	10/00/97	

**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  
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**RIN:** 2127-AG61

**2523. 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 adopting a policy statement concerning the submission and processing of Rulemaking for determination of functional equivalency on harmonization of motor vehicle safety standards with those of other countries.

**Timetable:**

Action	Date	FR Cite
Request for Comments	06/17/96	61 FR 30657
Request for Comments	11/14/96	61 FR 58362
Public Workshop	01/16/97	
Final Action	10/00/97	

**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

DOT—NHTSA

Final Rule Stage

Fax: 202 366-3820

RIN: 2127-AG62

**2524. 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
Final Action	10/00/97	

**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

**2525. 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:**

Final, 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	05/19/97	62 FR 27193
Interim Final Rule Effective	05/19/97	
Request for Comments Due	07/18/97	
Final Action	10/00/97	

**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:** William Holden, Division Chief, Driver Register and Traffic Records Division, 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

**2526. 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 has established new uniform procedures governing the implementation of State highway safety programs by amending existing requirements to provide a more flexible system under which States are responsible for setting highway safety goals and implementing programs to achieve those goals. These new procedures are issued as an interim final rule to provide guidance to the States before the start of fiscal year 1998. The agency requests comments on this rule.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/26/97	62 FR 34397
Interim Final Rule Effective	06/26/97	
Request for Comments Due	08/11/97	
Final Rule	09/30/97	62 FR 51064
Petition Due	11/00/97	
Final Rule Effective	12/01/97	
Final Action	12/00/97	
Action on Petitions	04/00/98	

**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

**2527. 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 amending its regulations establishing fees for the purpose of reimbursing the agency for certain costs incurred in administering the vehicle importation program. The amendment establishes 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 applies 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 will further departmental objectives for the vehicle importation program to be self-funding.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/97	62 FR 37847

DOT—NHTSA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	08/14/97	
Final Rule	09/29/97	62 FR 50876
Final Rule Effective	10/29/97	
Petitions Due	11/13/97	
Action on Petitions	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The rule will 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 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-AG73

**2528. • COMPLIANCE TEST DUMMY MEASUREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30122; 49 USC 30166

**CFR Citation:** 49 CFR 571.208; 49 CFR 572

**Legal Deadline:** None

**Abstract:** The agency is adopting modifications to the Hybrid III test dummy, which is specified by the agency for use in compliance testing under Federal Motor Vehicle Safety Standard No. 208. The agency has decided to require a six axis neck transducer, thereby allowing the test dummy to measure neck flexion, extension moments and tension, compression and shear forces. The agency has determined that immediate action is in the public interest since the agency needs to ensure compliance with the recent amendment to Standard No. 208 allowing air bag depowering (RIN No. 2127-AG59). The agency is also requesting comments on whether the agency should make permanent its amendment to the Hybrid III dummy.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/20/97	62 FR 27511
Interim Final Rule Effective	05/20/97	
Request for Comments Due	07/14/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/20/97 (62 FR 27511)

**Agency Contact:** Stanley Backaitis, Principal 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-AG75

**2529. • DEPOWER EXCLUSIONS FROM REQUIREMENTS FOR VEHICLES CERTIFIED TO THE ALTERNATIVE SLED TEST**

**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 March 1997, the agency temporarily amended the occupant crash protection standard to ensure that vehicle manufacturers can quickly depower all air bags so that they inflate less aggressively. The agency adopted an unbelted sled test protocol as a temporary alternative to the standard's full scale unbelted barrier crash test. The agency took this action to provide an immediate, but interim, solution to the problem of 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 occupants. In May 1997, the agency issued an interim final rule making a further amendment to the standard, so that certain exclusions from the requirements in two other safety standards that are available for vehicles certified to the unbelted barrier test will also be available for vehicles certified to the alternative sled test. This action was necessary to prevent a delay in depowering. The agency also solicited comments on this amendment.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	05/09/97	
Interim Final Rule Comments Due	05/14/97	62 FR 26425
Request for Comments Due	07/14/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/14/97

**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-AG80

**2530. • AIR BAG WARNING LABEL FOR REAR-FACING CHILD 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 571.213

**Legal Deadline:** None

**Abstract:** In response to a request from an automobile manufacturer, the agency is amending the warning label requirement for rear-facing child seats if the child seat deactivates the air bag. Because of new technology that is available that will cut off the passenger-side air bag in vehicles, the agency has determined that it is in the public interest to make the changes effective immediately on an interim basis. The agency also solicits comments on this amendment.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/04/97	62 FR 30464
Interim Final Rule Effective	06/04/97	
Request for Comments Due	07/21/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 06/04/97 (62 FR 30464)

**Agency Contact:** Mary Versailles, Program Analyst, Planning and Review Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St. SW., Washington, DC 20590  
Phone: 202 366-2057  
Fax: 202 366-4329

**RIN:** 2127-AG82

**2531. • EXEMPTIONS TO ODOMETER DISCLOSURE REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-205, sec 332

**CFR Citation:** 49 CFR 580

**Legal Deadline:** None

**Abstract:** This interim final rule amends 49 CFR 580, Odometer Disclosure Requirements, by creating a new section in part 580, moving the present exemptions to that section, and changing the statutory authority for the exemptions to Public Law 104-205, sec 332.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/11/97	62 FR 47763
Comment Period End	10/14/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Eileen Leahy, Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AG83

**2532. • +USE OF UNBELTED AND BELTED TEST DUMMIES**

**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:** In response to a petition for rulemaking, the agency requested comments to determine the benefits and disbenefits of eliminating the unbelted dummies test procedure for air bags. Currently, the agency believes that section 2508 of the Intermodal Surface Transportation Efficiency Act of 1991 precludes eliminating the unbelted test requirement. This rulemaking is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
Request for Comments	02/27/97	62 FR 8917
Comment Period End	03/31/97	
Comment Period Extended to	04/01/97	62 FR 15453
Final Action	10/00/97	

**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: 202 366-4327

**RIN:** 2127-AG85

**2533. • EXTEND PARTICIPATION IN THE NATIONAL DRIVER REGISTER PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 303

**CFR Citation:** 23 CFR 1327

**Legal Deadline:** None

**Abstract:** The agency is allowing the U.S. Coast Guard access to the National Driver Register information on their members of the U.S. Coast Guard and U.S. Coast Guard Reserve. This action is required by PL 104-324, a recent amendment to the National Driver Register Act of 1982.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** William Holden, Division Chief, Driver Register and Traffic Records 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-AG90

**2534. • HEAD IMPACT REQUIREMENTS RELATING TO DEPOWERING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

**CFR Citation:** 49 CFR 571.201; 49 CFR 571.208

**Legal Deadline:** None

**Abstract:** Currently, vehicles certified to the unbelted barrier test of the occupant crash protection standard are permitted to comply with a special, less stringent test requirement for head impacts on instrument panels. As a result of this interim final rule, vehicles certified to the new alternative sled test procedure will also be permitted to comply with the less stringent head impact test requirement. This change is to prevent a delay in air bag depowering.

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**Final Rule Stage**

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/26/97	62 FR 45172
Interim Final Rule Effective	08/26/97	
Comments Due	10/27/97	
Final Action	06/00/98	

**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  
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**RIN:** 2127-AG94

**DEPARTMENT OF TRANSPORTATION (DOT)**

**Long-Term Actions**

**National Highway Traffic Safety Administration (NHTSA)**

**2535. +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 requested public comments on the National Academy of Sciences (NAS) study titled "Shopping for Safety - Providing Consumer Automotive Safety Information," (TRB Special Report 248) and how that study should be reflected in the agency's decision on whether, and if so, how, to proceed with a crashworthiness rating for automobiles.

**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
Request for Comments	05/20/97	62 FR 27648
Comment Period End	08/18/97	
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 01/22/81 (46 FR 7025)

**Agency Contact:** Mary Versailles, Office of Planning and Consumer

Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2057

Fax: 202 366-4329

**RIN:** 2127-AA03

**2536. +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
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

**RIN:** 2127-AA44

**2537. 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

**2538. +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

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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	
Next Action Undetermined		

**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  
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**RIN:** 2127-AC19

**2539. +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 571

**Legal Deadline:**

NPRM, Statutory, May 31, 1992. Final, Statutory, March 3, 1994, NHTSA may issue either an ANPRM or NPRM.

**Abstract:** In response to a petition for rulemaking, the agency has initiated research to focus on exploring whether it can develop a practicable, repeatable and appropriate dynamic emergency handling test that assesses a vehicle's propensity for involvement in an on-road, untripped rollover crash. This action is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/03/92	57 FR 242
ANPRM Comment Period End	04/03/92	

Action	Date	FR Cite
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	
Petition Grant	05/20/97	62 FR 27578
Next Action Undetermined		

**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). As part of its comprehensive efforts to address the problem of light vehicle rollover, the agency proposed a new consumer information regulation that would require that passenger cars, and light multipurpose passenger vehicles and trucks be labeled with information about their resistance to rollover. In the NPRM, the agency terminated rulemaking to establish a vehicle stability standard. The agency denied petitions for reconsideration of this termination on 06/05/96 (61 FR 28550). The comment period for the NPRM was reopened after publication of a related study by the National Academy of Sciences (NAS). (This notice was inadvertently published under RIN 2127-AC54). At the same time the agency published the grant notice on the petition for rulemaking, NHTSA published, in a separate notice, its response to the NAS study and requested comments by 08/18/97 (50/20/97 62 FR 27648). See RIN No. 2127-AG53 for related information on warning labels for sport utility vehicles.

**Agency Contact:** Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4171  
Fax: 202 366-4329

**RIN:** 2127-AC64

**2540. 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		

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. The first part of the research is complete. A computer model and a prototype seat were developed. Information on this research is available in the docket along with a report on crash data analysis. The agency is currently evaluating the research results and conducting vehicle seat testing.

**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  
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**RIN:** 2127-AD08

**2541. 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

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**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	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:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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**RIN:** 2127-AE27

**2542. 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	06/10/93	58 FR 32503
Comment Period End	08/09/93	
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

Fax: 202 366-4329

**RIN:** 2127-AE59

**2543. 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

**Legal Deadline:** None

**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	09/30/94	59 FR 49901
Comment Period End	11/29/94	
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** George Mouchahoir, Team Leader, Special Vehicles and

Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

Fax: 202 366-4329

**RIN:** 2127-AF43

**2544. 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

**Legal Deadline:** None

**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:** George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

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**RIN:** 2127-AF50

**2545. +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.

DOT—NHTSA

Long-Term Actions

**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

**2546. 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, which are essentially 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	

Next Action Undetermined

**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

**2547. DOOR LATCH EXEMPTION FOR VEHICLES EQUIPPED WITH 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 vehicles with wheelchair ramps and to establish uniform requirements for vehicles with 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:** Next Action Undetermined

**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. The agency is currently conducting research to determine if door latch exemptions are still necessary. Simultaneously, the agency is developing a door latch procedure for sliding doors.

**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

**2548. 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

**2549. • ADVANCED AIR BAG DUMMY RULE FOR HYBRID III 95TH PERCENTILE MALE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 CFR 322; 49 CFR 30111; 49 CFR 30115; 49 CFR 30117; 49 CFR 30166

**CFR Citation:** 49 CFR 572; 49 CFR 571.208

**Legal Deadline:** None

**Abstract:** The agency is proposing specifications for a new 95th percentile male Hybrid III size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard No. 208. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced restraints technologies for crash protection in frontal impacts.

DOT—NHTSA

Long-Term Actions

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stanley Backaitis, Principal 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-AG79

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

National Highway Traffic Safety Administration (NHTSA)

**2550. +REVIEW: PASSENGER CAR FRONT SEAT OCCUPANT PROTECTION (FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 208)**

**Priority:** Other Significant

**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

**CFR Citation:** 49 CFR 571.208

**Legal Deadline:** None

**Abstract:** This standard requires the provision of automatic occupant protection in the front outboard seats of passenger cars after September 1, 1989. Air bags and automatic safety seat belts are being installed to meet the standard. The agency will analyze the actual road experience of vehicles equipped with automatic occupant protection to measure the reduction of fatalities and injuries, observe operational performance, and assess public acceptance and costs. The regulation was selected for review because of its costs, potential benefits, and public interest; this review is considered significant because of substantial public interest.

**Timetable:**

Action	Date	FR Cite
Begin Review	01/17/90	55 FR 1586
Interim Evaluation Report	07/08/92	57 FR 30293
End Review	10/10/96	61 FR 53260
Comment Period End	01/08/97	

**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 the driver who buckles up (as well as saving lives of unbelted drivers). Preliminary analyses show a high 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.

**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

**2551. 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 will allow high intensity discharge (HID) light sources to be used in replaceable bulb headlamp systems, in addition to their presently allowed use in integral beam headlamp systems. This amendment relieves design restrictions that may have inadvertently prevented the implementation of certain new-technology light sources in signal lamps.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/94	59 FR 16788

Action	Date	FR Cite
NPRM Comment Period End	06/07/94	
Final Action	05/07/96	61 FR 20497

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 05/07/96 (61 FR 20497)

**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. This action was completed under RIN 2127-AF65.

**Agency Contact:** Richard VanDerstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-5280  
 Fax: 202 366-4329

**RIN:** 2127-AE97

**2552. 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

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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 (61 FR 41355). In response to petitions for reconsideration, the agency is adopting an alternative it originally proposed (for the red/white horizontal element of the conspicuity system) of cab-mounted material and adding additional alternatives of material mounted ahead of or behind the rear axle on separate brackets.

**Timetable:**

Action	Date	FR Cite
NPRM	06/12/95	60 FR 30820
NPRM Comment Period End	09/11/95	
Final Action	08/08/96	61 FR 41355
Petitions Due	09/23/96	
Actions on Petitions	04/08/97	62 FR 16709
Petitions Due	05/23/97	
Final Action Effective	07/01/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/08/97 (62 FR 16709)

**Additional Information:** No petitions for reconsideration were received on the April 1997 final rule.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
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**RIN:** 2127-AF59

**2553. 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 amends the Federal motor vehicle safety standard on lighting, 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 rule 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	03/10/97	62 FR 10710
Petitions Due	04/24/97	
Final Action Effective	05/01/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 03/10/97 (62 FR 10710)

**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. Changes in the time and location of the next series of meetings were published February 12, 1996 (61 FR 5370). Final meetings and location were published May 29, 1996 (61 FR 26872). No petitions for reconsideration were received on the March 1997 final rule.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280

Fax: 202 366-4329

**RIN:** 2127-AF73

**2554. 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:** The agency withdraws a proposal to amend the safety standard on accelerator control systems that would have deleted a provision that specifies return-to-idle time for a normally operating accelerator control system. The proposal was part of the agency's effort to implement the President's Regulatory Reinvention Initiative. The agency has decided to focus on the broader issue of making the accelerator control system standard more relevant for electronic accelerator systems. A technical workshop is planned for May 20, 1997, to discuss electronic accelerator control technology and potential methods of assuring fail-safe performance.

**Timetable:**

Action	Date	FR Cite
Request for Comments Comment Period End	12/04/95	60 FR 62061
NPRM	04/30/96	61 FR 19020
NPRM Comment Period End	06/14/96	
Action Withdrawn	03/07/97	62 FR 10514

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/30/96 (61 FR 19020)

**Additional Information:** Notice of change in date of technical workshop published 3/21/97 (62 FR 13583).

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
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**RIN:** 2127-AF76

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**2555. 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 published a notice of proposed rulemaking to rescind the triangular warning devices intended to be placed on the roadway behind disabled buses and trucks that have a gross vehicle weight rating (GVWR) greater than 10,000 pounds. Terminating this rulemaking relieves the Federal Highway Administration (FHWA) of the necessity for conducting a rulemaking proceeding to adopt its own requirements on triangular warning devices. Further, terminating this rulemaking will give the Department more effective enforcement authority regarding the performance of those devices.

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/96	61 FR 29337
NPRM Comment Period End	07/25/96	
Action Withdrawn	06/16/97	62 FR 32562

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 06/10/96 (61 FR 29337)

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
Fax: 202 366-4329

**RIN:** 2127-AF77

**2556. 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 nighttime driving.

**Timetable:**

Action	Date	FR Cite
NPRM	02/21/96	61 FR 6616
NPRM Comment Period End	04/22/96	
Final Rule	08/29/96	61 FR 45359
Petitions Due	10/05/96	
Final Rule Effective	10/15/96	
Action on Petitions	06/06/97	62 FR 31008

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 02/20/96 (61 FR 6616)

**Additional Information:** Petition for reconsideration denied because no safety reason for changes was claimed.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
Fax: 202 366-4329

**RIN:** 2127-AF78

**2557. 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, this amendment deletes unnecessary regulatory language by removing two tables and certain regulatory text, all of which apply to motor vehicles manufactured before September 1, 1989.

**Timetable:**

Action	Date	FR Cite
NPRM	05/30/96	61 FR 27039
NPRM Comment Period End	07/15/96	
Final Action	06/16/97	62 FR 32538

Action	Date	FR Cite
Petitions Due	07/31/97	
Final Action Effective	07/31/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 06/16/97 (62 FR 32538)

**Additional Information:** No petitions for reconsideration were received.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5280  
Fax: 202 366-4329  
**RIN:** 2127-AF86

**2558. 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 published a notice of proposed rulemaking to rescind this standard. After reviewing the comments, the agency has decided to terminate rulemaking because the comments show that the current regulatory requirements are not imposing needless regulatory burdens.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15449
NPRM Comment Period End	05/23/96	
Terminated	06/16/97	62 FR 32559

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/08/96 (61 FR 15449)

**Additional Information:** This action also terminates RIN 2127-AF88.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Standard, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—NHTSA

Completed Actions

Phone: 202 366-5280  
 Fax: 202 366-4329  
 RIN: 2127-AF87

**2559. 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 published a notice of proposed rulemaking to rescind this standard. After reviewing the comments, the agency has decided to terminate rulemaking because the comments show that the current regulatory requirements are not imposing needless regulatory burdens.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15446
NPRM Comment Period End	05/23/96	
Terminated	06/16/97	62 FR 32559

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Analysis:** Regulatory Evaluation 04/08/96 (61 FR 15446)

**Additional Information:** This action also terminates RIN 2127-AF87.

**Agency Contact:** Richard VanInderstine, Division Chief, Visibility and Controls Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-5280  
 Fax: 202 366-4329  
 RIN: 2127-AF88

**2560. 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
Final Action Effective	11/16/95	60 FR 57562
NPRM Comment Period End	01/16/96	
Final Action	08/09/96	61 FR 41510
Final Action Effective	08/09/96	
Petitions Due	09/23/96	
Action on Petitions	04/22/97	62 FR 19523

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Analysis:** Regulatory Evaluation 08/09/96 (61 FR 41510)

**Additional Information:** Petition for reconsideration was denied, 04/22/97 (62 FR 19523).

**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

**2561. 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	
Final Action Effective	09/01/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Analysis:** Regulatory Evaluation 01/10/97 (62 FR 1401)

**Additional Information:** No petitions for reconsideration were received on the January 1997 final rule.

**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

**2562. 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 publishes 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 and publish this data.

**Timetable:**

Action	Date	FR Cite
NPRM	02/21/97	62 FR 7987
NPRM Comment Period End	04/22/97	
Final Action	08/21/97	62 FR 44416
Final Action Effective	08/21/97	

**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

DOT—NHTSA

Completed Actions

Fax: 202 366-4329  
 RIN: 2127-AG33

**2563. 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 has established 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	09/30/96	61 FR 51043

**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

**2564. 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  
**Legal Deadline:** None

**Abstract:** In response to a petition for rulemaking, the agency is correcting the regulation specifying the characteristics of the test dummy representing a six-year-old child. The revisions specify location of the center of gravity (cg) of the thorax by moving it forward 0.4 inches from the location currently specified in part 572. The agency also amends the dummy's specifications to show that thorax ballast mass, if used,

is mounted on the inside of the anterior wall of the spine box rather than to its sides. Both of these changes bring the drawing specifications in line with the actual construction of the dummy and are intended to ensure that there is no confusion among dummy manufacturers and users as to whether a particular dummy meets the specifications of the agency's regulation.

**Timetable:**

Action	Date	FR Cite
Final Action	08/20/97	62 FR 44225
Final Action Effective	08/20/97	

**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

**2565. 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 extending for two years a limited, temporary provision in 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 be available for up to 10 percent, by value, of a carline's total parts content from outside suppliers, and only for carlines offered for sale prior to January 1, 1999.

**Timetable:**

Action	Date	FR Cite
Temporary Final Rule; Comment Period End	09/03/96	61 FR 46383
Final Action	06/23/97	62 FR 33756
Final Action Effective	07/23/97	
Petitions Due	08/07/97	

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

**Analysis:** Regulatory Evaluation  
 06/23/97 (62 FR 33756)

**Additional Information:** 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: 202 366-4936  
 Fax: 202 366-4329  
**RIN:** 2127-AG46

**2566. 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 Action	09/11/96	61 FR 47825
Final Action Effective	10/11/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** Because this rule will only benefit the public by reducing the existing fee, the agency dispensed with a notice for comment and made 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. No petitions for reconsideration were received.

**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

DOT—NHTSA

Completed Actions

Fax: 202 366-3820

RIN: 2127-AG54

**2567. 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 updates 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. 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
Correction	03/27/97	62 FR 14738
NPRM Comment Period End	04/25/97	
Final Action	06/23/97	62 FR 33754
Final Action Effective	06/23/97	
Correction	08/04/97	62 FR 41882

**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

**2568. 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	10/01/96	61 FR 51243

**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

**2569. +LIGHT TRUCK FUEL ECONOMY STANDARDS FOR MODEL YEAR 1999**

**Priority:** Other Significant. Major under 5 USC 801.

**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 (MY) 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. The light truck standard for MY 1999 is 20.7 mpg.

**Timetable:**

Action	Date	FR Cite
Final Action	04/03/97	62 FR 15859
Petitions Due	05/19/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 04/03/97 (62 FR 15859)

**Additional Information:** This action is not economically significant because the standard for MY 99 is the same as for MY 98. No petitions for reconsideration were received on the April 1997 final rule.

**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

**2570. 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 lists the 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	07/31/97	62 FR 40949

**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)**  
**Federal Railroad Administration (FRA)**

**Prerule Stage**

**2571. +RAILROAD COMMUNICATIONS—ADVANCED TRAIN CONTROL SYSTEM**

**Priority:** Other Significant

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

**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 achieve the following: (1) continue to identify high risk corridors for mandatory Positive Train Control (PTC); (2) continue the interest in PTC technology testing and compatibility; and (3) establish the deployment of PTC technology on high risk rail corridors by the year 2000. This action is considered significant due to the substantial interest of both the public and the industry.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** FRA has separated out of this rulemaking its action entitled Radio Communication, which proposes to revise its radio rules for more flexibility and to include requirements for the presence of radios and/or some means of wireless communication (RIN 2130-AB19).

**Agency Contact:** Cynthia Walters, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 632-3181

**RIN:** 2130-AA94

**2572. +HOURS OF SERVICE ELECTRONIC RECORDKEEPING PROJECT**

**Priority:** Other Significant

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

**Legal Authority:** 49 USC 20103; 49 USC 21101 to 21108; 49 USC 21303 to 21304; 49 USC 21311

**CFR Citation:** 49 CFR 228

**Legal Deadline:** None

**Abstract:** In 1994, the Federal Railroad Administration (FRA) launched 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 is proposing 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 Waiver Application	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David Kasminoff, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Mail Stop 10, Washington, DC 20590  
 Phone: 202 632-3191

**RIN:** 2130-AB04

**2573. 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.

**Timetable:**

Action	Date	FR Cite
Begin Review	04/01/96	
Complete Review	04/00/98	

**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 20590  
 Phone: 202 362-3189

**RIN:** 2130-AB12

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Federal Railroad Administration (FRA)**

**Proposed Rule Stage**

**2574. +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:**

Final, Statutory, November 2, 1996.  
 Final, Statutory, November 2, 1998.

**Abstract:** This action would govern the use of train whistles at grade crossings. This action is considered significant because of substantial public interest. This action is being taken pursuant to statutory mandate.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**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-AA71

**2575. 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	10/00/97	

**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

**2576. +LOCOMOTIVE CRASHWORTHINESS AND WORKING CONDITIONS**

**Priority:** Other Significant

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

**Legal Authority:** 49 USC 20103; 49 USC 20111 to 20113; 49 USC 21301 to 21311; PL 103-272, sec 4(b)

**CFR Citation:** 49 CFR 229

**Legal Deadline:**

Final, Statutory, March 3, 1995.

**Abstract:** The agency has proposed to address the crashworthiness of locomotives and working conditions on locomotives, pursuant to the Rail Safety Enforcement and Review Act (1992). FRA investigated a variety of locomotive working conditions and crashworthiness, and reported its findings to Congress. On October 31, 1996 the Railroad Safety Advisory Committee (RSAC) accepted a preliminary planning task to schedule handling of these issues. The Locomotive Crew Safety Planning Group met on January 23, 1997 to develop task statements that were forwarded to the full RSAC and accepted on June 24, 1997. 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**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

**2577. +ENVIRONMENTAL IMPACT AND RELATED PROCEDURES (FRA, FTA, FHWA)**

**Priority:** Other Significant

**Legal Authority:** 49 USC 322; 42 USC 4332

**CFR Citation:** 49 CFR 267; 49 CFR 622; 23 CFR 771

**Legal Deadline:** None

**Abstract:** The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) currently have a joint environmental regulation at 23 CFR 771, "Environmental Impact and Related Procedures," that outlines requirements for complying with the National Environmental Policy Act and related laws and regulations. The Federal Railroad Administration (FRA) has "Procedures for Considering Environmental Impacts" (45 FR 40854, June 16, 1980) which serve the same purposes. FTA and FHWA are revising their regulation to serve program needs. In order to achieve consistency in environmental analysis for surface transportation modes and to update its existing environmental procedures which were issued in 1980, the FRA will join with FTA and FHWA in developing an environmental regulation that applies to all three modal Administrations. This action is considered significant because of public, congressional, and environmental concerns and because it involves several departmental modes. The FTA RIN is 2132-AA43; the FHWA RIN is 2125-AD32.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined

DOT—FRA

Proposed Rule Stage

**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

**2578. +PASSENGER EQUIPMENT SAFETY STANDARDS**

**Regulatory Plan:** This entry is Seq. No. 98 in Part II of this issue of the **Federal Register**.

**RIN:** 2130-AA95

**2579. 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	10/00/97	

**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

**2580. +FLORIDA OVERLAND EXPRESS HIGH SPEED RAIL RULE OF PARTICULAR APPLICABILITY**

**Priority:** Other Significant

**Legal Authority:** 49 USC 20103

**CFR Citation:** None

**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 anticipates 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, personnel qualification requirements, system qualification requirements, and system safety plan.

FRA hopes to have proposed standards published by September 1997, and final standards in place by December 1997. This action is considered significant due to industry interest.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**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

**2581. +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). On June 24, 1997, this task was withdrawn from RSAC and FRA is proceeding 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	10/00/97	

**Small Entities Affected:** Undetermined

**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, proposals 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

DOT—FRA

Proposed Rule Stage

Phone: 202 632-3178

RIN: 2130—AB16

**2582. • AUTOMATIC TRAIN CONTROL AND ADVANCED CIVIL SPEED ENFORCEMENT SYSTEM; NORTHEAST CORRIDOR RAILROADS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 20103; 49 USC 20107; 49 USC 20501 to 20505

**CFR Citation:** 49 CFR 1.49(f); 49 CFR 1.49(g); 49 CFR 1.49(m)

**Legal Deadline:** None

**Abstract:** FRA is proposing to issue an order of particular applicability

requiring all trains on the north end of the Northeast Corridor (NEC) between Boston, Massachusetts, and New York, New York, to be controlled by locomotives equipped to respond to a new advanced civil speed enforcement system (ACSES) in addition to the automatic train control (ATC) system that is currently required on the NEC. The proposed order also contains performance standards for the cab signal/ATC and ACSES systems on the NEC. The order would authorize increases in certain maximum authorized train speed and safety requirements supporting improved rail service.

**Timetable:**

Action	Date	FR Cite
Proposed Order of Particular Applicability	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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—AB20

DEPARTMENT OF TRANSPORTATION (DOT)  
Federal Railroad Administration (FRA)

Final Rule Stage

**2583. 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	10/00/97	

**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:** JoAnne McGowan, Program Analyst, Department of

Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 632-3277

RIN: 2130—AA60

**2584. 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); 49 CFR 240

**Legal Deadline:** None

**Abstract:** In this final action, FRA corrects typographical errors in the current CFR, and makes technical amendments to change telephone numbers, delete outdated definitions and references, and codify previous interpretations.

**Timetable:**

Action	Date	FR Cite
Final Corrective Action	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**Additional Information:** A final rule suspending pre-employment alcohol testing was promulgated with all DOT modes, and published by FRA on 5/10/95. A final rule amending procedures for post-accident toxicological testing was published on 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

**2585. +FREIGHT CAR SAFETY STANDARDS: MAINTENANCE-OF-WAY EQUIPMENT**

**Priority:** Other Significant

**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.

DOT—FRA

Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	03/10/94	59 FR 11238
NPRM Comment Period End	02/27/95	
Final Action	05/00/98	

**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, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 632-3167**RIN:** 2130-AA68**2586. +TRACK SAFETY STANDARDS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 20111 to 20113; 49 USC 20142; 49 USC 20301 to 20311**CFR Citation:** 49 CFR 213**Legal Deadline:**

Final, Statutory, September 1, 1995.

**Abstract:** 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 issued 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	07/03/97	62 FR 36138
Correction	08/12/97	62 FR 43201
NPRM Comment Period End	09/15/97	
Final Action	04/00/98	

**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). A Public Hearing on the NPRM will be held on 9/4/97 (62 FR 42733).**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**2587. +RAIL PASSENGER SERVICE: EMERGENCY PREPAREDNESS****Regulatory Plan:** This entry is Seq. No. 99 in Part II of this issue of the **Federal Register**.**RIN:** 2130-AA96**2588. 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	10/00/97	

**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

DOT—FRA

Final Rule Stage

**2589. STATEMENT OF POLICY REGARDING SAFETY OF RAILROAD BRIDGES**

**Priority:** Info./Admin./Other

**Legal Authority:** 49 USC 20103; 49 USC 21301 to 21311; 49 USC 20142; PL 103-44, sec 208

**CFR Citation:** 49 CFR 213

**Legal Deadline:** None

**Abstract:** FRA proposes to publish a policy statement containing maintenance guidelines based on certain common, basic principles that characterize effective bridge management practices. The guidelines are meant to be advisory in nature. They will not have the force of regulations under which FRA ordinarily issues violations and assesses civil penalties.

**Timetable:**

Action	Date	FR Cite
Statement of Interim Policy	04/27/95	60 FR 20654
Comment Period End	06/26/95	
Final Policy Statement	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**2590. REINVENTION OF REGULATIONS ADDRESSING DISCONTINUANCE OR MODIFICATION OF SIGNAL SYSTEMS**

**Priority:** Substantive, Nonsignificant

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

**Legal Authority:** 49 USC 20501 to 20505

**CFR Citation:** 49 CFR 235

**Legal Deadline:** None

**Abstract:** Pursuant to the President's Regulatory Reform Initiative, FRA intends to revise part 235 by reducing the list of circumstances for which signal system discontinuance approval is required. 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	10/00/97	

**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

**2591. 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	10/00/97	

**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

**2592. 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

**2593. SMALL RAILROADS; POLICY STATEMENT ON ENFORCEMENT PROGRAM**

**Priority:** Substantive, Nonsignificant

**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, Policy on Small Entities Subject to Railroad Safety Laws.

**Abstract:** The Small Business Regulatory Enforcement Act (SBREFA) of 1996 requires, among other things, that federal agencies establish communication and enforcement

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Final Rule Stage

programs to address the unique concerns and operations of small entities.

Pursuant to SBREFA, FRA published communication and enforcement policies with respect to small entities in a Statement of Agency Policy and undertook an interim definition of "small entity" in this process. Also, FRA invited comment from the public for the purpose of adopting a new definition of "small entity" in the future.

**Timetable:**

Action	Date	FR Cite
Interim Policy Statement Effective	08/11/97	62 FR 43024
10/10/97		
Comment Period End	11/30/97	
Final Policy Statement	02/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local

**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

**2594. USE OF REMOTELY CONTROLLED LOCOMOTIVES IN RAIL OPERATIONS**

**Priority:** Substantive, Nonsignificant

**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 nationwide 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	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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 St., Washington, DC 20590  
Phone: 202 632-3171

**RIN:** 2130-AB17

**2595. USE OF ONE-PERSON CREWS IN RAIL OPERATIONS**

**Priority:** Substantive, Nonsignificant

**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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**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).

**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

**2596. • RADIO COMMUNICATIONS**

**Priority:** Substantive, Nonsignificant

**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 include requirements for the presence of radios and/or some means of wireless communication for certain trains and roadway workers. 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.) An NPRM based on RSAC's advice and recommendations was published on June 26, 1997.

**Timetable:**

Action	Date	FR Cite
NPRM	06/26/97	62 FR 34544
NPRM Comment Period End	08/25/97	
Final Action	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** As originally proposed, this rulemaking also encompassed issues involving positive train control (PTC) technology. However, FRA has separated this rulemaking out from the original proposal to revise its radio rules with respect to PTC technology (RIN 2130-AA94).

**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-AB19

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Federal Railroad Administration (FRA)**

**Long-Term Actions**

**2597. AMTRAK WASTE DISPOSAL**

**Priority:** Substantive, Nonsignificant

**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

**2598. 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	03/01/95	60 FR 11047
Amendments: Comment Period End 5/1/95		
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

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Federal Railroad Administration (FRA)**

**Completed Actions**

**2599. POWER BRAKE REGULATIONS: TWO-WAY END-OF-TRAIN TELEMETRY DEVICES**

**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 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 by requiring that all trains not specifically excepted be equipped with two-way end-of-train telemetry devices or a device using alternative technology to perform the same function.

**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 Date 7/1/97	01/02/97	62 FR 278
Action on Petitions	06/04/97	62 FR 30461

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation  
 01/02/97 (62 FR 290)

**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 2130-AB16). Proposals regarding 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

DOT—FRA

Completed Actions

**2600. +ROADWAY WORKER PROTECTION**

**Priority:** Other Significant

**Legal Authority:** 49 USC 20103; 49 USC 20111 to 20113; 49 USC 20142; 49 USC 21301 to 21311; PL 103-440, sec 208

**CFR Citation:** 49 CFR 214

**Legal Deadline:**

Final, Statutory, September 1, 1995.

**Abstract:** The agency 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	
Response to Petitions	04/21/97	62 FR 19234

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation 12/16/96 (61 FR 65973)

**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

**2601. +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:** In its NPRM, FRA proposed to prohibit railroads from unilaterally selecting and installing highway-rail grade crossing warning systems at public highway-rail crossings. FRA also proposed to require that railroads furnish state highway authorities with information necessary for state grade crossing project planning and prioritization purposes. Termination of this rulemaking is based on public comments and FRA's determination that the railroad safety will not be best served by issuance of such a regulation at this time.

**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	
Termination of Rulemaking	08/08/97	62 FR 42733

**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-AA92

DEPARTMENT OF TRANSPORTATION (DOT)

Proposed Rule Stage

Federal Transit Administration (FTA)

**2602. +DEPARTMENT OF TRANSPORTATION (FTA, FRA, FHWA, AND USCG), NEPA, AND RELATED PROCEDURES FOR TRANSPORTATION DECISIONMAKING**

**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

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Proposed Rule Stage

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	04/00/98	

**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

**2603. 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

**Legal Deadline:** None

**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	09/30/97	62 FR 51076
Comment Period End	12/01/97	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Nancy Zaczek, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4011

**RIN:** 2132-AA56

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Federal Transit Administration (FTA)

**2604. +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

Action	Date	FR Cite
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	04/00/98	

**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

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**Final Rule Stage**

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

**2605. 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 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	06/23/97	62 FR 33793
NPRM Comment Period End	08/22/97	
Final Action	10/00/97	

**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)**

**Completed Actions**

**Federal Transit Administration (FTA)**

**2606. • BUY AMERICA; ROLLING STOCK, TECHNICAL AMENDMENT**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 49 USC 5323(j)

**CFR Citation:** 49 CFR 661

**Legal Deadline:** Final, Statutory, May 30, 1992.

**Abstract:** This final rule is merely a technical amendment which restores appendices to section 661.11 of the

agency's Buy America regulation, which governs procurement of rolling stock. These appendices were inadvertently deleted during a recent revision of the rule (61 FR 6300).

**Timetable:**

Action	Date	FR Cite
Final Action	07/31/97	62 FR 40953

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local

**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-AA59

**DEPARTMENT OF TRANSPORTATION (DOT)**

**Long-Term Actions**

**Saint Lawrence Seaway Development Corporation (SLSDC)**

**2607. 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	10/00/98	

**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)**  
**Research and Special Programs Administration (RSPA)**

**Prerule Stage**

**2608. +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
Notice of Public Meeting	05/21/97	62 FR 27715
Notice of Public Meetings	06/24/97	62 FR 34041
Notice of Public Hearing	10/00/97	

**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:** E. Wyman, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-0918

**RIN:** 2137-AB38

**2609. • PIPELINE SAFETY: PRESSURE TESTING OLDER HAZARDOUS LIQUID AND CARBON DIOXIDE PIPELINES; EXTENSION OF TIME**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 60101 to 60125

**CFR Citation:** 49 CFR 195

**Legal Deadline:** None

**Abstract:** This direct final rule extends the time for compliance with the requirements for pressure testing of older hazardous liquid and carbon dioxide pipelines. Plans for testing, which were to be completed by December 7, 1997, would now be required by December 7, 1998. The dates for actual completion of the testing, previously December 7, 1999, and December 7, 2002, are also extended by one year. RSPA is extending these compliance dates to allow time to complete a rulemaking based on the American Petroleum Institute's (API) petition for a risk-based alternative to the required pressure testing rule. In a separate notice (RIN 2137-AC78), RSPA is issuing a proposed rule for a risk-based alternative to the existing pressure testing rule.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** In a petition dated June 23, 1995, API submitted a risk-based alternative to the pressure testing final rule issued on June 7, 1994 (59 FR 29379) and requested that RSPA delay implementation of the rule until the API proposal was given full consideration. API argued that the rule on pressure testing older hazardous liquid and carbon dioxide pipelines presents an opportunity to apply a risk-

based approach to pressure testing, and proposed a risk-based alternative to the rule. RSPA published a Final Rule (Docket PS-121; 61 FR 43026; August 20, 1996) extending the compliance deadline to plan and schedule pressure testing to December 1997. The dates for actual completion of testing were extended by one year. These dates are being further extended by a year by this rulemaking.

**Agency Contact:** Mike Israni, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4571  
 Fax: 202 366-4566

**RIN:** 2137-AD05

**2610. • +HAZARDOUS MATERIALS: SAFETY STANDARDS FOR UNLOADING CARGO TANK MOTOR VEHICLES IN LIQUEFIED COMPRESSED GAS SERVICE**

**Priority:** Other Significant

**Legal Authority:** 49 USC 5101 to 5127

**CFR Citation:** 49 CFR 171; 49 CFR 173; 49 CFR 178; 49 CFR 180

**Legal Deadline:** None

**Abstract:** This rulemaking would enhance the safety of cargo tanks by clarifying provisions pertaining to emergency discharge control systems, hose management, and attendance requirements in the Hazardous Materials Regulations.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/18/97	62 FR 44059
ANPRM Comment Period End	10/17/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** Docket No. HM-225A.

**Agency Contact:** Ronald Kirkpatrick, Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC  
 Phone: 202 366-4545

**RIN:** 2137-AD07

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Research and Special Programs Administration (RSPA)**

**Proposed Rule Stage**

**2611. +REQUIREMENTS FOR CYLINDERS (SECTION 610 REVIEW)**

**Regulatory Plan:** This entry is Seq. No. 100 in Part II of this issue of the **Federal Register**.

**RIN:** 2137-AA92

**2612. GAS GATHERING LINE DEFINITION**

**Priority:** Substantive, Nonsignificant

**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.

**Timetable:**

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48505
NPRM Comment	11/25/91	
Period End		
SNPRM	10/00/97	

**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:** Richard Huriaux, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4595

**RIN:** 2137-AB15

**2613. 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. The NPRM will address the safety issues involved.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/10/87	52 FR 26027
ANPRM Comment	08/10/87	
Period End		
NPRM	01/00/98	

**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:** Hattie Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-8553

**RIN:** 2137-AB51

**2614. 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
NPRM	10/00/97	

**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. In developing this regulation, RSPA has the benefit of a Texas A&M study on breakout tanks.

**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

**2615. 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	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** Docket No. RSPA-97-2094.

**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

**2616. 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.

DOT—RSPA

Proposed Rule Stage

**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	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Docket No. PS-140. 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

**2617. +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	06/00/98	

**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

**2618. +EMERGENCY FLOW RESTRICTING DEVICES**

**Regulatory Plan:** This entry is Seq. No. 101 in Part II of this issue of the **Federal Register**.

**RIN:** 2137-AC39

**2619. HAZARDOUS MATERIALS; MISCELLANEOUS AMENDMENTS AND CORRECTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 5101 to 5127

**CFR Citation:** 49 CFR 171 to 178

**Legal Deadline:** None

**Abstract:** RSPA plans to make minor changes to its hazardous materials transportation regulations on an ongoing 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	09/24/97	62 FR 50222
Comment Period End	11/24/97	

**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

**2620. 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. This rulemaking is necessary due to 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	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Analysis:** Regulatory Evaluation

**Additional Information:** Docket No. HM-217.

**Agency Contact:** Helen Engrum, 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

**2621. 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	06/00/98	

DOT—RSPA

Proposed Rule Stage

**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

**2622. PERIODIC 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	12/00/97	

**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

**2623. +RISK-BASED ALTERNATIVE TO PRESSURE TESTING RULE**

**Regulatory Plan:** This entry is Seq. No. 102 in Part II of this issue of the **Federal Register**.

**RIN:** 2137-AC78

**2624. 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	08/20/97	62 FR 44250
NPRM Comment Period End	10/20/97	

**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

**2625. 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	01/00/98	

**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 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-8553

**RIN:** 2137-AC90

**2626. 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

**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	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Additional Information:** Docket No. PS-153. Public Meeting on Metrication (Houston, Texas) 1/10/97

**Agency Contact:** Marvin Fell, Economist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-6205  
Fax: 202 366-4566

**RIN:** 2137-AC98

**2627. • PIPELINE SAFETY: INCORPORATION BY REFERENCE OF INDUSTRY STANDARD ON LEAK DETECTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 60101 et seq

**CFR Citation:** 49 CFR 192

DOT—RSPA

Proposed Rule Stage

**Legal Deadline:** None

**Abstract:** This rulemaking would incorporate by reference in the regulations an industry publication for leak detection, API 1130, "Computational Pipeline Monitoring," published by the American Petroleum Institute (API). This proposal would require that operators of hazardous liquid pipelines use API 1130 in conjunction with other information in the design, evaluation, operation, maintenance, and testing of software-

based leak detection systems in issue. This will result in a significant advancement toward the acceptance of leak detection technology on hazardous liquid pipelines. However, RSPA is not proposing to require operators to install such systems.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** Docket No. RSPA-97-2362

**Agency Contact:** Lloyd Ulrich, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC  
Phone: 202 366-4556

**RIN:** 2137-AD06

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Research and Special Programs Administration (RSPA)

**2628. 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. RSPA has reevaluated this proposal and decided to withdraw it because it could result in safety problems.

**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	
To Be Withdrawn	01/00/98	

**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. A related rulemaking is "Prohibition of Oxidizers Aboard Aircraft," HM-224A, RIN 2127-AC92.

**Agency Contact:** Diane LaValle, 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

**2629. 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	11/00/97	

**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:** B. Furrow, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4559

**RIN:** 2137-AB50

**2630. 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). In response to petitions for reconsideration of the final rule, an additional NPRM was issued proposing to limit the rule with respect to replacement of offshore gas transmission lines in rural areas.

**Timetable:**

Action	Date	FR Cite
NPRM	11/20/92	57 FR 54745
Final Rule	04/12/94	59 FR 17275
NPRM	09/30/94	59 FR 49896
NPRM Correction	10/19/94	59 FR 52863
Limited Suspension of Enforcement	02/07/95	60 FR 7133
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

DOT—RSPA

Final Rule Stage

**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

**2631. +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	06/15/94	59 FR 30755
6/28/94		
Public Meeting	08/01/94	
Comment Period End		
Notice of Public Hearing	11/29/96	61 FR 60679
Correction	01/21/97	62 FR 2989
Final Action	12/00/97	

**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

**2632. 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	08/26/96	
Period End		
Final rule	10/00/97	

**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

**2633. 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	05/19/95	
Period End		
Final Action	10/00/97	

**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

**2634. 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. All 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	02/03/95	60 FR 6767
Period End	3/6/95	
Final Action	10/00/97	

**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

DOT—RSPA

Final Rule Stage

**2635. CONTROL OF FOREIGN 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	10/00/97	

**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

**2636. LOW-STRESS HAZARDOUS LIQUID PIPELINES SERVING PLANTS AND TERMINALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 60101 to 60125

**CFR Citation:** 49 CFR 195

**Legal Deadline:** None

**Abstract:** RSPA hazardous liquid pipeline safety regulations originally did not apply to steel pipelines that operate at 20 percent or less of

specified minimum yield strength (SMYS). The final rule (59 FR 35465; July 12, 1994) extended the regulations to three groups of these pipelines: 1) pipelines that transport highly volatile liquids (HVL), 2) pipelines or pipeline segments in populated areas, and 3) pipelines or pipeline segments located offshore or in commercially navigable waterways. Accidents showed that regulating these pipelines or pipeline segments would be in the interest of public safety. Moreover, the Pipeline Safety Act of 1992 provides that DOT may not exclude hazardous liquid pipelines from regulation based solely on operation at low internal stress. The final rule responded to the statutory prohibition and reduces hazardous liquid pipeline risks.

Subsequently, various pipeline companies and petrochemical manufacturers have expressed concern over what products and which pipelines are actually covered by this regulation. Special concern for very short segments of pipeline carrying petroleum products and short segments of pipeline carrying various petrochemicals between plant sites raised questions as to the necessity for and applicability of aspects of this regulation. In May 1996 OPS published a Notice of Interpretation and Stay of Enforcement (Stay) regarding plant transfer lines less than one mile long or under Coast Guard jurisdiction.

In a new action, RSPA has prepared a direct final rule to amend part 195 to exclude all pipelines covered by the Stay. This action is based on discussions with interested parties, including API, CMA, and RSPA's hazardous liquid pipeline safety advisory committee.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	06/09/97	62 FR 31364
Adverse Comment Received	09/29/97	
To Be Withdrawn	10/00/97	

**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 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4559

**RIN:** 2137-AC87

**2637. +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. The supplemental proposal specifically analyzes the prohibition of oxidizers in Class B and C cargo compartments. This rulemaking is significant due to congressional and public interest in the hazards presented by these 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	08/20/97	62 FR 44374
Comment Period End	10/20/97	

**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:** Diane LaValle, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-8553

**RIN:** 2137-AC92

DOT—RSPA

Final Rule Stage

**2638. +HAZARDOUS MATERIALS: CARGO TANK MOTOR VEHICLES IN LIQUEFIED COMPRESSED GAS SERVICE; INTERIM FINAL RULE**

**Priority:** Other Significant

**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 an acceptable level of safety for delivery of liquefied compressed gases.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/19/97	62 FR 7638
Notice of Delay in Decision on Petitions & Public Meeting	06/09/97	62 FR 31363
Final Rule Effective	08/01/97	
Final Rule	08/18/97	62 FR 44038
Advisory Guidance	09/19/97	62 FR 49171
Response to Petitions	10/00/97	

**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 Seventh Street SW., Washington, DC 20590 Phone: 202 366-3753

**RIN:** 2137-AC97

**2639. REGULATIONS IMPLEMENTING MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF THE INTERIOR**

**Priority:** Substantive, Nonsignificant

**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	10/00/97	

**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

**2640. FURTHER REGULATORY REVIEW; GAS PIPELINE SAFETY 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 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, RIN 2137-AC25) that made revisions to those regulations. RSPA is proposing additional changes 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
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Docket No. PS-124. 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. 31, 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 (61 FR 28770; June 6, 1996), but did not address all proposed changes to part 192. A further review of the 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. (In the April 1997 DOT Regulatory Agenda, this rulemaking erroneously appeared as a significant, instead of non-significant rulemaking).

**Agency Contact:** R. Huriaux, Director, Office of Technology and Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-4565

**RIN:** 2137-AD01

**2641. • PIPELINE SAFETY: PERIODIC UPDATES TO PIPELINE SAFETY REGULATIONS (1997)**

**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 5103; 49 USC 60102; 49 USC 60104; 49 USC 60108 to 60110; 49 USC 60113; 49 USC 60118; 49 CFR 1.53

DOT—RSPA

Final Rule Stage

**CFR Citation:** 49 CFR 192; 49 CFR 193; 49 CFR 195

**Legal Deadline:** None

**Abstract:** This rulemaking is designed to update the pipeline safety regulations on an annual basis. It will incorporate the latest consensus standards in the pipeline safety regulations to reflect more recent editions of each document. It will update selected sections of the pipeline safety regulations to allow operators to utilize current technology, materials, and practices. In addition, noncontroversial corrections and updates will be made to both the gas and hazardous liquid pipeline safety regulations. This annual update process is consistent with the President's goal of regulatory reinvention and improvement of customer service.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Docket No . RSPA-97-2251

**Agency Contact:** Eben Wyman, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4571

**RIN:** 2137-AD03

**2642. • HAZARDOUS MATERIALS: EDITORIAL CORRECTION AND CLARIFICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 5101 to 5127

**CFR Citation:** 49 CFR 107; 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 175; 49 CFR 176; 49 CFR 177; 49 CFR 178

**Legal Deadline:** None

**Abstract:** This rulemaking would correct editorial errors, make minor

regulatory changes, and (in response to requests for clarification) improve the clarity of certain provisions of the Hazardous Materials Regulations (HMR). The intended effect of this rule is to enhance the clarity and accuracy of the HMR.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** Docket No: HM-189N

**Agency Contact:** Charles E. Betts, 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-AD09

DEPARTMENT OF TRANSPORTATION (DOT)

Long-Term Actions

Research and Special Programs Administration (RSPA)

**2643. +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 hazardous liquid pipeline operators keep maps and records to show the location and other characteristics of pipelines. Operators would be required to keep an inventory of pipe and periodically 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.

In response to this mandate the Department of Transportation's Office of Pipeline Safety (OPS) is working with other federal and state agencies and pipeline industry to create a national pipeline mapping system. This system, when complete, will show the location and selected attributes of the major natural gas and hazardous liquid pipelines and liquefied natural gas facilities operating in the United States. OPS will add additional data layers into the system, including layers on population densities, unusually sensitive areas, natural disaster probability and high consequence areas, hydrography, and transportation networks. OPS will use the system to depict pipelines in relation to the public and the environment, and to work with other government agencies and industry during an incident.

A joint government/industry Mapping Quality Action Team (MQAT II) has drafted national pipeline mapping standards that will be used to create the digital pipeline layer. These include standards for electronic data submissions, paper map submissions, and metadata (data on the data). The team has also drafted standards that will be used by the pipeline mapping

repository receiving the pipeline information. The team is currently pilot testing the draft standards and is working to establish relationships with state agencies, industry, and others to exchange data that meets the standards. A call for candidates to be pilot repositories for mapping information recently appeared in the Federal Register.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Analysis:** Regulatory Evaluation

**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-AB48

**2644. +SAFEGUARDING FOOD FROM CONTAMINATION DURING TRANSPORTATION**

**Priority:** Other Significant

**Legal Authority:** 49 USC 5701 to 5714

**CFR Citation:** 49 CFR 1

**Legal Deadline:**

DOT—RSPA

Long-Term Actions

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. RSPA's next action is undetermined because there is pending proposed legislation on this subject.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/20/91	56 FR 6934
Extended Comment	03/21/91	56 FR 11982
Period End 04/29/91		
ANPRM Comment	03/26/91	
Period End		
NPRM	05/21/93	58 FR 29698
Public Hearings Notice	05/21/93	58 FR 29698
NPRM Comment	10/18/93	
Period End		
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:** Jodi George, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590-0001  
Phone: 202 366-8553

**RIN:** 2137-AC00

**2645. 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	12/14/92	
Period End		
Next Action Undetermined		

**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

**2646. 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). RSPA's next action is undetermined because there is pending proposed legislation on this subject.

**Timetable:** Next Action Undetermined

**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

**2647. 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 better define 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. RSPA has held three public hearings on this rulemaking and is evaluating input from those meetings and numerous public comments.

**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

**2648. 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

DOT—RSPA

Long-Term Actions

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	11/21/96	
Period End		
Next Action	Undetermined	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Additional Information:** Docket No. HM-220C

**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

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Research and Special Programs Administration (RSPA)

**2649. +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. The final rule extends the 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.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/29/87	52 FR 24195
Extended Comment	09/21/87	52 FR 35464
Period End	11/28/87	
ANPRM Comment	09/28/87	
Period End		
NPRM	07/09/93	58 FR 36920
NPRM Correction	07/15/93	58 FR 38111
NPRM Comment	10/13/93	
Period End		
SNPRM	03/20/96	61 FR 11484
Extended Comment	05/17/96	61 FR 24904
Period End	8/16/96	
Final Rule Effective	01/08/97	62 FR 1208
10/01/97		
Action on Petitions	09/22/97	62 FR 49560
Final Action Effective	10/01/97	

**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

**2650. 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	08/05/92	57 FR 34542
Period Extended to	10/09/92	
ANPRM Comment	08/10/92	
Period End		
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	08/30/94	59 FR 44795
Correction		
NPRM Comment	12/04/94	
Period End		
Final Action	01/08/97	62 FR 1217
Corrections and	07/22/97	62 FR 39398
Responses to		
Petitions		
Corrections and	08/25/97	62 FR 45702
Responses to		
Petitions		
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

DOT—RSPA

Completed Actions

**2651. 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.

**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	05/06/97	62 FR 24690
Final Rule Correction	08/28/97	62 FR 45702

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Docket No. HM-215B

**Agency Contact:** Joan McIntyre, 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

**2652. 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	02/25/97	62 FR 8402
Final Action Effective	06/25/97	
Confirmed Effective Date	07/08/97	62 FR 36465
Direct Final Rule	08/01/97	62 FR 41311
Confirmation of Effective Date	09/18/97	62 FR 48952

**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 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-2036

**RIN:** 2137-AC88

**2653. 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

**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

**2654. 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, informational rule, it was appropriate for publication as a Final Rule without notice or comment.

**Timetable:**

Action	Date	FR Cite
Final Action	05/02/97	62 FR 24055
Final Rule Correction	06/26/97	62 FR 34415

**Small Entities Affected:** None

DOT—RSPA

Completed Actions

**Government Levels Affected:** None

**Additional Information:** Docket No. RSP-3

**Agency Contact:** Karin Christian, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4400

**RIN:** 2137-AD00

**2655. HAZARDOUS MATERIALS: SHIPPING DESCRIPTION AND PACKAGING OF OXYGEN GENERATORS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 5101 to 5127

**CFR Citation:** 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 174

**Legal Deadline:** None

**Abstract:** RSPA is amending the Hazardous Materials Regulations to add a specific shipping description for chemical oxygen generators and requiring approval of a chemical oxygen generator and certain packaging, in order to transport a chemical oxygen generator with its means of initiation attached. Because these subjects were ripe for rulemaking and comments had been received on them, this final rule was 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	06/05/97	62 FR 30767
Technical Amendments and Corrections	06/27/97	62 FR 34667
Final Action Effective	07/07/97	
Notice of Public Meeting	07/11/97	62 FR 37149

**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:** Diane LaValle, 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

**2656. ● HAZARDOUS MATERIALS: USE OF NON-SPECIFICATION OPEN-HEAD FIBER DRUM PACKAGINGS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 5101 to 5217

**CFR Citation:** 49 CFR 171

**Legal Deadline:**

Final, Statutory, September 30, 1997.

**Abstract:** RSPA is allowing the transportation of certain liquid hazardous materials in non-specification fiber drums until September 30, 1999, if the fiber drums have been filled before, and are not emptied after, the expiration of the current authority for the use of these packagings. RSPA is terminating its rulemakings relating to alternate standards for open-head fiber drums based on the recommendation of the National Academy of Sciences that RSPA should not extend authorization for the transportation of liquid hazardous materials in open-head fiber drums that do not meet the performance-oriented packaging standards drafted in RSPA's rulemaking docket No. HM-181.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	06/02/97	62 FR 29673
Comment Period End	08/01/97	
Confirmation of Effective Date	08/25/97	62 FR 44913

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Docket No. 97-2501 (HM-221B)

**Agency Contact:** Frazer C. Hilder, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4400  
Fax: 202 366-7041

**RIN:** 2137-AD04

**2657. ● HAZARDOUS MATERIALS: WITHDRAWAL OF RADIATION PROTECTION PROGRAM REQUIREMENT**

**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 rulemaking would withdraw RSPA's regulation requiring formal preparation of radiation protection programs because of difficulties raised by industry regarding its implementation. Many examples of the effect of this requirement on activities presenting very small exposure to radiation convinced RSPA that it should reconsider the requirement.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	09/02/97	62 FR 46214
Effective Date	09/30/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** Docket No. HM-169B.

**Agency Contact:** Fred Ferate, Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-4545

**RIN:** 2137-AD08

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Maritime Administration (MARAD)**

**Proposed Rule Stage**

**2658. APPROVAL OF CERTAIN TRANSACTIONS BEFORE VESSEL 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 would implement 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	10/00/97	

**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-AB30

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Maritime Administration (MARAD)**

**Final Rule Stage**

**2659. +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 eliminate existing text in the CFR.

**Legal Authority:** 46 app USC 1114(b); 46 app USC 1241(b)  
**CFR Citation:** 46 CFR 383

**Legal Deadline:** None

**Abstract:** The U.S. Department of Agriculture (USDA) and the Agency for International Development (AID), the major U.S. government shipping agencies, had requested that MARAD consider 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 would have extended 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 would have been significant because it would have affected other Federal agencies. After review of the methodology proposed in the NPRM, and the comments received, MARAD has concluded that large liner cargo parcels do not take on significant aspects of bulk shipments as was assumed. As a result, MARAD believes that expansion of the scope of the rule is not feasible and will withdraw the NPRM. Furthermore, MARAD now believes

that elimination of the regulations in part 383 is the most appropriate course of action. This is supported by the fact that the rule has not been used since 1995. With the recent sharp decline in the number of U.S.-flag general cargo vessels in liner services, few, if any, future cargoes can be expected to fall under the purview of this rule.

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/95	60 FR 20069
NPRM Comment Period End	06/23/95	
Final Action	10/00/97	

**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

**2660. +FAIR AND REASONABLE RATES: BULK AND PACKAGED PREFERENCE CARGOES**

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

**Legal Authority:** 46 app USC 1114(b); 46 app USC 1241(b)

**CFR Citation:** 46 CFR 382

**Legal Deadline:** None

**Abstract:** In an effort to encourage the development of a modern and efficient U.S. flag bulk fleet and to help lower government-wide cargo preference program costs, MARAD is considering changes in its methodology for the determination of fair and reasonable rates. MARAD has identified three alternative methodologies which it might consider. Fair and reasonable rate determinations are now provided to U.S. government shippers of preference cargo, thereby creating ceiling rates which limit government costs and the revenue U.S. flag operators receive for ocean cargo transportation. This rule is significant due to substantial industry and government interest. Common carrier liner services were being considered in a rulemaking RIN 2133-AB16, which is being withdrawn. The rule 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	
Final Action	10/00/97	

**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

DOT—MARAD

Final Rule Stage

**2661. 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	10/00/97	

**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

**2662. • CITIZENSHIP REQUIREMENTS FOR VESSELS WITH OBLIGATION GUARANTEES**

**Priority:** Substantive, Nonsignificant

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

**Legal Authority:** 46 app USC 1114(b); 46 app USC 1271 to 1279

**CFR Citation:** 46 CFR 298

**Legal Deadline:** None

**Abstract:** MARAD is amending its Obligation Guarantees regulations to make them consistent with the requirements and provisions in the Maritime Security Act of 1996, relating

to deregulation with respect to U.S. Citizenship requirements for participants in MARAD's obligation guarantees program (title XI Program). Since this rule merely conforms MARAD regulations to recently enacted legislative requirements; because it is deregulating in nature; and because it removes a burden now imposed on certain participants in the title XI Program; MARAD has determined that the notice and comment requirements of the APA do not apply.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Doris Lansberry, Office of the Chief Counsel, Department of Transportation, Maritime Administration, 400 Seventh Street SW., Washington, DC 20590  
Phone: 202 366-5712  
Fax: 202 366-7485

**RIN:** 2133-AB31

DEPARTMENT OF TRANSPORTATION (DOT)

Completed Actions

Maritime Administration (MARAD)

**2663. +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	07/15/97	62 FR 37733
Final Action Effective	07/17/97	

**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  
Phone: 202 366-2323

**RIN:** 2133-AB24

**2664. 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 app USC 1241-1

**CFR Citation:** 46 CFR 384

**Legal Deadline:** None

**Abstract:** MARAD solicited 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, pursuant to a policy statement that was issued in 1959. After reviewing written comments and holding a public meeting, MARAD decided that rulemaking is not feasible or necessary. It has withdrawn the rule and issued a policy revision, with the approval of the Ex-Im Bank.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/28/96	61 FR 55614
ANPRM Comment Period Extended	12/24/96	61 FR 67764
Extended Comment Period End	12/24/96	61 FR 67764

**DOT—MARAD**

**Completed Actions**

Action	Date	FR Cite
ANPRM Comment Period End	12/27/96	
Policy Revision	07/02/97	62 FR 35881
Action Withdrawn	07/29/97	62 FR 40494

**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

**DEPARTMENT OF TRANSPORTATION (DOT)  
 Bureau of Transportation Statistics (BTS)**

**Prerule Stage**

**2665. 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	02/00/98	

**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

**2666. MODERNIZING THE MOTOR CARRIERS OF PROPERTY FINANCIAL DATA COLLECTIONS**

**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 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, and 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 extent 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	10/00/97	

**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)**  
**Bureau of Transportation Statistics (BTS)**

**Final Rule Stage**

**2667. +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	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The NPRM was published under RSPA RIN 2137-AC67. However, since BTS is now separate from RSPA this new RIN 2139-AA00

has been assigned and will be used for future actions. This rule is significant under DOT regulatory policies and procedures due to the potential impact on safety. However, it is not considered significant under EO 12866.

**Agency Contact:** Bernie Stankus, Systems Accountant, Department of Transportation, Bureau of Transportation Statistics, 400 Seventh Street SW., Washington, DC 20590  
 Phone: 202 366-4387  
 Fax: 202 366-3383

**RIN:** 2139-AA00

**DEPARTMENT OF TRANSPORTATION (DOT)**  
**Bureau of Transportation Statistics (BTS)**

**Completed Actions**

**2668. 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 requires 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 standardizes the record

layout that is used for electronic submissions and expands by one position the field entitled "Total Dollar Value of Ticket" to accommodate current charges. Rather than awaiting the outcome of a related action in RIN 2139-AA01, Modernizing the Passenger Origin-Destination Survey, this action was finalized because the other action is several years from being a reality.

**Timetable:**

Action	Date	FR Cite
NPRM	06/24/96	61 FR 32375
NPRM Comment Period End	08/23/96	
Final Action	09/13/97	62 FR 43276
Final Action Effective	01/01/98	

**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

[FR Doc. 97-24745 Filed 10-28-97; 8:45 am]

**BILLING CODE** 4910-62-F