

Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grantees or Other Individuals). During the effective period of the cooperative agreement award as a result of this notice, the agreement shall be subject to the general administrative requirements of 49 CFR Part 19, Department of Transportation Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations; the cost principals of OMB Circular A-21, or A-122, or FAR 31.2 as applicable to the recipient, and the NHTSA General Provisions for Assistance Agreements.

3. **Reports and Deliverables/ Milestones.** The recipient shall submit a work plan within one week after award; quarterly progress reports by the 15th day subsequent to quarter, draft final report and plan for self-sustenance within 16 months after award, and plan for self-sustenance and the final report within 18 months after award. An original and two copies of each report shall be submitted to the Contracting Officer Technical Representative. One copy of each report to be submitted to the Contracting Officer. Milestones include the development of campaign strategies and materials within two months after award; dissemination of materials and the conduct of training within four months after award, and the development of a plan for self-sustenance within 10 months after award.

4. **Specific Tasks.** The recipient shall: (1) Meet with the COTR within one week after the award of the cooperative agreement to review details of the recipient's proposed work plan and schedule for this project; (2) Work with NHTSA and finalize the work plan to reach the largest area with greatest effect. The plan shall include an evaluation component and shall acknowledge the need to build sustainable community programs; (3) Develop materials needed to reach local constituents, educate them on traffic safety and occupant protection issues, and train them to conduct effective community outreach—using existing materials as much as possible; (4) Disseminate materials along with training, etc., as necessary to implement plan; and (5) Collect evaluation data.

It is imperative that the recipient make provisions in the organization to continue the implementation of the program developed for at least 3 years after the completion of this cooperative agreement. Emphasis should be placed on making this an on-going program into existing activities.

Issued on: June 21, 1996.  
James H. Hedlund,  
*Associate Administrator for Traffic Safety Program.*  
[FR Doc. 96-16484 Filed 6-26-96; 8:45 am]  
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**[Docket No. 96-028; Notice 2]**

**Decision that Nonconforming 1988 Nissan 240SX Passenger Cars are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.  
**ACTION:** Notice of decision by NHTSA that nonconforming 1988 Nissan 240SX passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that 1988 Nissan 240SX passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1988 Nissan 240SX), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision is effective as of June 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under 49 U.S.C. § 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with

NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

Pierre Enterprises Southeast, Inc. of Fort Pierce, Florida (Registered Importer 96-098) petitioned NHTSA to decide whether 1988 Nissan 240SX passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on April 5, 1996 (61 FR 15332) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition. No comments were received in response to the notice. Based on its review of the information submitted by the petitioner, NHTSA has decided to grant the petition.

**Vehicle Eligibility Number for Subject Vehicles**

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-162 is the vehicle eligibility number assigned to vehicles admissible under this decision.

**Final Decision**

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1988 Nissan 240SX not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1988 Nissan 240SX originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: June 21, 1996.

Marilynne Jacobs

*Director, Office of Vehicle Safety Compliance*  
[FR Doc. 96-16383 Filed 6-26-96; 8:45 am]

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**[Docket No. 96-10; Notice 2]****Decision That Nonconforming 1992 Ferrari 348TS Passenger Cars Are Eligible for Importation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.  
**ACTION:** Notice of decision by NHTSA that nonconforming 1992 Ferrari 348TS passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that 1992 Ferrari 348TS passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1992 Ferrari 348TS), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision is effective as of June 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. § 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the

petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

LPC of New York, Inc. of Ronkonkoma, New York ("LPC") (Registered Importer R-96-100) petitioned NHTSA to decide whether 1992 Ferrari 348TS passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on February 22, 1996 (61 FR 6890) to afford an opportunity for public comment. As stated in the notice of petition, the vehicle which LPC believes is substantially similar is the 1992 Ferrari 348TS that was manufactured for importation into, and sale in, the United States and certified by its manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claimed that it carefully compared the non-U.S. certified 1992 Ferrari 348TS to its U.S. certified counterpart, and found the two vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Specifically, the petitioner claimed that the non-U.S. certified 1992 Ferrari 348TS is identical to its U.S. certified counterpart with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence* \* \* \*, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 107 *Reflecting Surfaces*, 109 *New Pneumatic Tires*, 111 *Rearview Mirrors*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 118 *Power Window Systems*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 203 *Impact Protection for the Driver From the Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 211 *Wheel Nuts*, *Wheel Discs and Hubcaps*, 212 *Windshield Retention*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

Additionally, the petitioner stated that the non-U.S. certified 1992 Ferrari 348TS complies with the Bumper Standard found in 49 CFR Part 581.

Petitioner also contended that the vehicle is capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) placement of the

appropriate symbols on the brake failure, parking brake, and seat belt warning lamps; (b) replacement of the speedometer/odometer, which is calibrated in kilometers per hour, with a U.S.-model component calibrated in miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) installation of U.S.-model headlamp assemblies which incorporate sealed beam headlamps and front sidemarkers; (b) installation of U.S.-model taillamps; (c) installation of a high mounted stop lamp.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard.

Standard No. 114 *Theft Protection*: installation of a warning buzzer in the steering lock electrical circuit.

Standard No. 115 *Vehicle Identification Number*: installation of a VIN plate that can be read from outside the left windshield pillar, and a VIN reference label on the edge of the door or latch post nearest the driver.

Standard No. 208 *Occupant Crash Protection*: installation of a seat belt warning buzzer. The petitioner stated that the vehicle is equipped with automatic seat belt assemblies that have part numbers identical to those on its U.S. certified counterpart.

One comment was received in response to the notice of the petition, from Fiat Auto U.S.A., Inc. (Fiat), the United States representative of Ferrari S.p.A., the vehicle's manufacturer. In its comment, Fiat stated that Ferrari has invested considerable resources in the design and production of vehicles that comply with the Federal motor vehicle safety standards. Although it stated that it has not determined what modifications are necessary to bring a vehicle into compliance with the Federal safety standards, Fiat contended that it is not possible to achieve such compliance by simply retrofitting a vehicle built for the European market, without conducting extensive development and testing.

Fiat additionally challenged the petitioner's claim that the non-U.S. certified 1992 Ferrari 348TS is identical to its U.S. certified counterpart with respect to compliance with certain standards. Fiat disputed the petitioner's contention that the non-U.S. certified 1992 Ferrari 348TS is equipped with automatic seat belts. Instead, Fiat asserted that Ferrari uses a motorized 2-point shoulder belt in conjunction with a manual 2-point lap belt on its U.S. certified vehicles, and a manual 3-point seat belt on its non-U.S. vehicles. Fiat characterized these two systems as being entirely distinct with respect to

their certification, labeling, and part numbers for purposes of Standard No. 209 compliance. Additionally, Fiat observed that non-U.S. certified Ferraris cannot be readily modified to comply with Standard No. 208. Fiat contended that "major alterations" would be necessary to achieve such compliance, including the addition of an energy-absorbing knee bolster under the dashboard, the creation of new belt anchorage points to accommodate an automatic belt system, the modification of side members to fit motorized shoulder belt tracks, and the addition of a new electronic control unit and wiring for the automatic belt system.

Fiat also noted that U.S. certified Ferraris have 4-point seat belt anchorages to comply with Standard No. 210, while the non-U.S. certified vehicles have 3-point anchorages. Fiat further noted that only the U.S. vehicles have a steel beam in the inner door and a stronger structure on both sides of the door to comply with Standard No. 214, as well as a warning buzzer to indicate that the left door is open. Fiat contended that it would be difficult to properly install the door beam and reinforce the sides of a non-U.S. certified vehicle. Fiat also contended that U.S. certified Ferraris have a stronger front and rear chassis so that they can pass front, rear, and side impact tests under Standard No. 301. Fiat further noted that U.S. certified Ferraris have unique bumpers and brackets with the strength required to pass the pendulum and barrier tests under the Bumper Standard.

NHTSA accorded LPC an opportunity to respond to Fiat's comments. In its response, LPC noted that Ferrari from time to time, for reasons unknown to LPC, installs various U.S. certified components, structures, supports, and hardware on vehicles that are not intended for sale in this country. LPC stated that its petition identified the U.S. certified components, along with their associated structures, brackets, and hardware, which are either installed on the non-U.S. certified vehicle when originally manufactured, or that can be readily installed to produce a vehicle identical to the U.S. certified version.

Specifically, LPC asserted that the non-U.S. certified 1992 Ferrari 348TS is equipped by its manufacturer with a U.S. certified automatic belt system, as well as anchor points, knee bolster, and other components necessary to comply with Standard Nos. 208, 209, and 210. Additionally, LPC contended that the non-U.S. certified 1992 Ferrari 348TS is equipped by its manufacturer with U.S. certified door assemblies that comply with Standard No. 214. LPC also

asserted that the non-U.S. certified vehicle is equipped with U.S. certified front and rear bumpers, structures, supports, and hardware to meet the Bumper Standard, as well as fuel system integrity components necessary to meet Standard No. 301.

NHTSA has reviewed each of the issues that Fiat has raised regarding LPC's petition. NHTSA believes that LPC's responses adequately address each of those issues. NHTSA further notes that the modifications described by LPC have been performed with relative ease on thousands of nonconforming vehicles imported over the years, and would not preclude the non-U.S. certified 1992 Ferrari 348TS from being found "capable of being readily modified to comply with all Federal motor vehicle safety standards."

NHTSA has accordingly decided to grant the petition.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-161 is the vehicle eligibility number assigned to vehicles admissible under this decision.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1992 Ferrari 348TS not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1992 Ferrari 348TS originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: June 21, 1996.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.  
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#### Surface Transportation Board<sup>1</sup>

[STB Finance Docket No. 32947 (Sub-No. 1)]

#### The A&G Railroad, L.L.C.—Merger— The Bay Line Railroad, L.L.C.— Corporate Family Transaction Exemption

The A&G Railroad, L.L.C. (A&G) and The Bay Line Railroad, L.L.C. (Bay Line) (applicants), both of which are controlled by K. Earl Durden and Green Bay Packaging, Inc., filed a notice of exemption to undertake a transaction within their corporate family that would merge A&G into Bay Line. The transaction is expected to be consummated on or after the June 24, 1996 effective date of the exemption.

A&G owns and operates approximately 27 miles of rail line between Abbeville and Grimes, AL, and operates over 7 miles of CSX Transportation, Inc.'s (CSXT) rail line between Grimes and the Bay Line's rail yard in Dothan, AL, pursuant to incidental trackage rights.

Bay Line owns and operates approximately 79 miles of rail line between Dothan, AL, and Panama City, FL. It interchanges with CSXT at Cottondale, FL, and with CSXT, Norfolk Southern Railway Company, the Hartford & Slocomb Railroad Company, and the A&G at Dothan.

This transaction is related to a notice of exemption concurrently filed in STB Finance Docket No. 32947 (Sub-No. 2), *K. Earl Durden—Acquisition of Control Exemption—Rail Partners, L.P., et al.*, in which K. Earl Durden will acquire 100% control of Rail Partners, L.P., Rail Management and Consulting Corporation, and other shortline railroads.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside applicants' corporate family. The stated purposes of the transaction are to streamline management of the two rail carriers and to facilitate consummation of the transaction in STB Finance Docket No. 32947 (Sub-No. 2).

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This decision relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323-25.