

ACTION: Notice of decision by NHTSA that nonconforming 1992 and 1993 Mercedes-Benz 320SL passenger cars are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1992 and 1993 Mercedes-Benz 320SL 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 vehicles originally manufactured for importation into and sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 1992 and 1993 Mercedes-Benz 320SL), and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective January 31, 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.

G&K Automotive Conversion, Inc. of Santa Ana, California (Registered Importer R-90-007) petitioned NHTSA to decide whether 1992 and 1993 Mercedes-Benz 320SL passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on October 30, 1995 (60 FR 55298) 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-142 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 1992 and 1993 Mercedes-Benz 320SL (Model ID 129.063) passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are substantially similar to 1992 and 1993 Mercedes-Benz 320SL passenger cars originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and are 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: January 25, 1996.

Marilynne Jacobs,
Director Office of Vehicle Safety Compliance.
[FR Doc. 96-1960 Filed 1-30-96; 8:45 am]
BILLING CODE 4910-59-M

Surface Transportation Board

[No. MC-F-20783]

**Capitol Bus Company; Pooling;
Greyhound Lines, Inc.**

AGENCY: Surface Transportation Board.¹

¹ The ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending

ACTION: Notice of proposed revenue pooling application.

SUMMARY: By application filed November 29, 1995, Capitol Bus Company (Capitol), of Harrisburg, PA, and Greyhound Lines, Inc. (Greyhound), of Dallas, TX, jointly request approval of a revenue pooling arrangement under former 49 U.S.C. 11342(a) with respect to their motor passenger transportation services between Syracuse, NY, and Harrisburg, PA, and between Harrisburg and Washington, DC. Applicants already pool transportation services on these routes, and under the proposal they also seek to pool the earnings from these routes. Their stated objective is to reduce excess bus capacity on the pooled routes and cement the business relationship between them.

DATES: Comments on the proposed agreement may be filed with the Board in the form of verified statements on or before March 1, 1996. Applicants' rebuttal statements are due on or before March 21, 1996.

ADDRESSES: Send verified statements to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, Room 1324, 1201 Constitution Avenue, N.W., Washington, DC 20423 and (2) Applicants' representatives: Dennis N. Barnes, Morgan, Lewis and Bockius, 1800 M Street, N.W. (#600N), Washington, DC 20036-7060; and Fritz R. Kahn, Suite 750 West, 1100 New York Avenue, N.W., Washington, DC 20005-3934.

FOR FURTHER INFORMATION CONTACT: James Llewellyn Brown, (202) 927-5303 or Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: The Interstate Commerce Commission previously approved an agreement allowing Capitol and Greyhound to pool their services between Syracuse and Harrisburg and between Harrisburg and Washington, DC. See Capitol Bus Company—Pooling—Greyhound Lines, No. MC-F-19154 (Sub-No. 1) (ICC served Nov. 28, 1988). Under the proposed pooling arrangement, Capitol and Greyhound now seek to pool their revenues over these routes, as well.

Applicants state that, while their service pooling agreement has

before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 14302. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, 49 U.S.C. 11342(a).

succeeded in permitting them to reduce redundant services, increase the load factor, and increase revenues, the load factor remains unacceptably low, causing an intolerable drain on their resources. Assertedly, they feel compelled to operate the number of schedules they operate to protect their respective market shares, notwithstanding that the market is being overserved.

Applicants state that revenue pooling will allow them to achieve greater economies of operation, permitting each to manage better its pricing structures and capital improvements. Each carrier would share financially in the vicissitudes of the pooled-route operations of the other, creating an otherwise unattainable degree of financial stability. They assert that the agreement is in the public interest. With the additional measure of financial stability, they maintain that they will be able to improve service to the traveling public.

They argue that there are overwhelming intermodal competitive pressures that are available to protect the public. Ample rail passenger service is available on Amtrak between these points via New York City, NY, or Philadelphia, PA. The major points served by these routes also receive frequent daily air service from United Air Lines and USAir. Several interstate highways connect these points, as well.

Copies of the pooling application may be obtained free of charge by contacting petitioners' representatives. In the alternative, the pooling application may be inspected at the offices of the Surface Transportation Board, Room 1221, during normal business hours. A copy of this notice will be served on the Department of Justice, Antitrust Division. [Assistance for the hearing impaired is available through TDD service on (202) 927-5721.]

Decided: January 11, 1996.

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

Vernon A. Williams,
Secretary.

[FR Doc. 96-1915 Filed 1-30-96; 8:45 am]

BILLING CODE 4910-00-P

Surface Transportation Board ¹

[STB Finance Docket No. 32849]

Camp Lejeune Railroad Company; Lease Exemption; Camp Lejeune Marine Corps Base to Jacksonville, NC

Camp Lejeune Railroad Company (CLRC), a wholly owned subsidiary of Norfolk Southern Railway Company, has filed a notice of exemption to renew a lease from the United States of America, Department of Navy (Government), of a 5.6-mile railroad line between milepost 2.5 at the Marine Corps Base, Camp Lejeune, and milepost 8.1 at Jacksonville, Onslow County, NC.

CLRC has operated and leased the rail line from the Government under a lease originally authorized by the ICC in 1984.² The lease expired on August 31, 1994. The parties have agreed to review and extend the lease until August 31, 1999.

Any comments must be filed with the Board and served on: Robert J. Cooney, Norfolk Southern Corporation, 3 Commercial Place, Norfolk, VA 23510-2191.

This notice was filed under 49 CFR 1180.4(g)(1), and despite CLRC's assertion that the transaction is governed by 49 U.S.C. 10901 and 49 CFR 1150.31(a), CLRC has not demonstrated why the lease renewal differs from the situation in 1989 and hence does not fall within section 11323(a)(2) and 49 CFR 1180.2(d)(4). The notice is thus being published under 49 CFR 1180.2(d)(4). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

As a condition to this exemption, any employees affected by the lease transaction will be protected pursuant to *Mendocino Coast Ry., Inc.—Lease and Operate*, 354 I.C.C. 732 (1978) and 360 I.C.C. 653 (1980).

Decided: January 25, 1996.

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

² See *Camp Lejeune Railroad Company—Lease Exemption*, Finance Docket No. 30553 (ICC served Sept. 17, 1984), and *Camp Lejeune Railroad Company—Renewal of Lease Exemption a Rail Line in North Carolina*, Finance Docket No. 30553 (Sub-No. 1) (ICC served Oct. 6, 1989).

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 96-1916 Filed 1-30-96; 8:45 am]

BILLING CODE 4915-00-P

[Docket No. AB-33 (Sub-No. 70)]

Union Pacific Railroad Company; Abandonment; Wallace Branch, ID

AGENCY: Surface Transportation Board.

ACTION: Extension of Comment Filing Period.

SUMMARY: The Rails to Trails Conservancy seeks the immediate issuance of a certificate of interim trail use under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d), for a 71.5-mile rail line of Union Pacific Railroad Company between milepost 16.5, near Plummer, and milepost 7.6, near Mullan, via milepost 80.4/0.0 near Wallace, in Benewah, Kootenai, and Shoshone Counties, ID. The ICC issued a notice on December 29, 1995 (60 FR 67364) to request comments from all interested parties, agencies, and members of the public as to whether there is any impediment to the issuance of Trails Act authority in the unusual circumstances of this case. Comments were due on January 29, 1996.

The Environmental Enforcement Division of the United States Department of Justice, on behalf of the Departments of Interior and Agriculture, requests a 60-day extension of the comment period to March 29, 1996, to allow comment on behalf of all Federal environmental concerns. The Board will extend the comment period for 45 days.

DATES: Comments are due by March 14, 1996.

ADDRESSES: An original and 10 copies of all comments, referring to Docket No. AB-33 (Sub-No. 70), should be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.