

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

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: July 10, 1996.

Marilynne Jacobs,
Director, Office of Vehicle Safety Compliance.
[FR Doc. 96-18018 Filed 7-15-96; 8:45 am]

BILLING CODE 4910-59-P

[Docket No. 96-070; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 1986 Honda CP 450 SC Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1986 Honda CP 450 SC motorcycles are eligible for importation.

SUMMARY: This notice announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that a 1986 Honda CP 450 SC that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because (1) it is substantially similar to a vehicle that was originally manufactured for importation into and sale in the United States and that was certified by its manufacturer as complying with the safety standards, and (2) it is capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is August 15, 1996.

ADDRESS: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh St., SW,

Washington, DC 20590. [Docket hours are from 9:30 am to 4 pm]

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)(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.

Champagne Imports, Inc. of Lansdale, Pennsylvania ("Champagne") (Registered Importer 90-009) has petitioned NHTSA to decide whether 1986 Honda CP 450 SC motorcycles are eligible for importation into the United States. The vehicle which Champagne believes is substantially similar is the 1986 Honda CB 450 SC that was manufactured for importation into, and sale in, the United States and certified by its manufacturer, Honda Motor Company, as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared the non-U.S. certified 1986 Honda CP 450 SC 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.

Champagne submitted information with its petition intended to demonstrate that the non-U.S. certified 1986 Honda CP 450 SC, as originally manufactured, conforms to many Federal motor vehicle safety standards in the same manner as its U.S. certified counterpart, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S. certified 1986 Honda CP 450 SC is identical to its U.S. certified counterpart with respect to compliance with Standards Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 115 *Vehicle Identification Number*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*, and 122 *Motorcycle Brake Systems*.

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

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: installation of U.S.-model headlamp assemblies.

Standard No. 123 *Motorcycle Controls and Displays*: installation of a U.S. model speedometer calibrated in miles per hour.

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All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

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: July 10, 1996.

Marilynne Jacobs,
Director, Office of Vehicle Safety Compliance.
[FR Doc. 96-18017 Filed 7-15-96; 8:45 am]

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[Docket No. 96-082; Notice 01]**General Motors Corporation; Receipt of Application for Decision of Inconsequential Noncompliance**

The Buick Division of the General Motors Corporation (GM), of Warren, Michigan, has determined that certain 1996 Buick Skylark cars fail to conform to the requirements of 49 CFR 571.108, Federal Motor Vehicle Safety Standard (FMVSS) 108, "Lamps, Reflective Devices and Associated Equipment," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." GM has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118(d) and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

In FMVSS No. 108, Paragraph S5.1.1.5 states that "the turn signal operating unit on each passenger car, . . . shall be self-canceling by steering wheel rotation and capable of cancellation by a manually operated control."

Certain 1996 model year Buick Skylark cars were assembled with a defective multi-function switch, which causes the turn signal self-cancel feature to work intermittently after left turns. As a result, the turn signal does not meet the requirements of S5.1.1.5. GM stated that while all of the subject vehicles meet the latter requirement, some may intermittently fail to meet the self cancel requirement.

GM first became aware of this condition during a railhead audit in August of 1995. Once the condition was discovered, multiple inspections for suspect switches were immediately implemented, both at the assembly plant and by the supplier, and breakpoints were established. A total of 1,969 vehicles were built with suspect switches.

GM supported its application for inconsequential noncompliance with the following:

- No more than 5.5 percent of the 1,969 vehicles, or 108 vehicles, are predicted to have a defective switch. This prediction is based on a sort of 400 switches, of which 22 were determined to possibly be suspect. This projection may overstate the field condition since the sort was very conservative; many of the suspect 22 switches may function properly in vehicles. In addition, the projection is based on a sort of the latest shipments of switches before the supplier

corrected its manufacturing problem. Since the condition was caused by tooling dimensions drifting out of specification, the actual rate of defective switches for the entire production run may well be less than the projected rate.

- The self-cancel feature will operate properly for a majority of turn signal activations even on vehicles with a defective switch. The self-canceling feature works correctly when signaling for all right turns, as well as for some left turns. The switch is sensitive to the rate of turn signal lever actuation and position of the steering wheel, and will not cancel only intermittently, for some left hand turns. On one of the vehicles discovered with this condition, it took about 20 turn signal cycles to recreate the failure.

- All 1996 Skylarks have a turn signal reminder chime that will signal the driver if the turn signal indicator is still on after 1/2 mile of driving. Therefore, even in those instances when the self-cancel feature fails, the driver will get an additional cue that the turn signal is on and deactivate it.

- GM is not aware of any accidents, injuries, owner complaints or field reports associated with this condition.

Interested persons are invited to submit written data, views, and arguments on the application of GM, described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW, Washington, D.C., 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials and all comments received after the closing date will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the Federal Register pursuant to the authority indicated below. Comment closing date: August 15, 1996.

(49 U.S.C. 30118, 30120; delegation of authority at 49 CFR 1.50 and 501.8)

Issued on: July 11, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96-18016 Filed 7-15-96; 8:45 am]

BILLING CODE 4910-59-P

Surface Transportation Board ¹

[STB Finance Docket No. 32993]

Norfolk Southern Railway Company—Corporate Family Transaction Exemption—The Atlanta and Charlotte Air-Line Railway Company

Norfolk Southern Railway Company (NSR), a Class I railroad, and The Atlanta and Charlotte Air-Line Railway Company (A&CAL), a Class III railroad, have jointly filed a verified notice of exemption. The exempt transaction is a merger of A&CAL with and into NSR.²

The transaction is expected to be consummated on or after August 1, 1996.

The proposed merger will eliminate A&CAL as a separate corporate entity, thereby simplifying the corporate structure of NSR and the NSR system, and eliminating costs associated with separate accounting, tax, bookkeeping and reporting functions.

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 or significant operational changes.

As a condition to this exemption, any employees adversely affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32993, must be filed with

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 and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323-24.

² A&CAL is a wholly owned, direct subsidiary of NSR with authorized capital stock consisting of 17,000 shares of Common Stock, 16,999 of which are issued and outstanding and owned by NSR. NSR has controlled A&CAL through stock ownership, and has leased and operated the properties of A&CAL since approximately 1881. The proposed Agreement and Plan of Merger provides that all shares of A&CAL's capital stock will be canceled and retired, and no consideration will be paid in respect of such shares. NSR is controlled through stock ownership by Norfolk Southern Corporation, a noncarrier holding company.