

- Notice of Petition published at: 62 FR 3940 (January 27, 1997)
Vehicle Eligibility Number: VSP-200
5. Docket No. 97-005
Nonconforming Vehicles: 1991-1996 Ducati 900SS Motorcycles
Substantially similar U.S.-certified vehicles: 1991-1996 Ducati 900SS Motorcycles
Notice of Petition published at: 62 FR 4829 (January 31, 1997)
Vehicle Eligibility Number: VSP-201
6. Docket No. 97-006
Nonconforming Vehicle: 1992 Mercedes-Benz 230CE
Substantially similar U.S.-certified vehicle: 1992 Mercedes-Benz 300CE
Notice of Petition published at: 62 FR 5067 (February 3, 1997)
Vehicle Eligibility Number: VSP-203
7. Docket No. 97-007
Nonconforming Vehicle: 1994 Mercedes-Benz C280
Substantially similar U.S.-certified vehicle: 1994 Mercedes-Benz C280
Notice of Petition published at: 62 FR 6611 (February 12, 1997)
Vehicle Eligibility Number: VSP-204
8. Docket No. 97-008
Nonconforming Vehicle: 1990 BMW 325iX
Substantially similar U.S.-certified vehicle: 1990 BMW 325iX
Notice of Petition published at: 62 FR 6609 (February 12, 1997)
Vehicle Eligibility Number: VSP-205
9. Docket No. 97-009
Nonconforming Vehicle: 1994 Mercedes-Benz E200
Substantially similar U.S.-certified vehicles: 1994 Mercedes-Benz E320
Notice of Petition published at: 62 FR 6613 (February 12, 1997)
Vehicle Eligibility Number: VSP-207
10. Docket No. 97-010
Nonconforming Vehicle: 1983 Suzuki GSX750 Motorcycle
Substantially similar U.S.-certified vehicles: 1983 Suzuki GS750 Motorcycle
Notice of Petition published at: 62 FR 6614 (February 12, 1997)
Vehicle Eligibility Number: VSP-208
11. Docket No. 97-011
Nonconforming Vehicles: 1972 through 1997 Harley Davidson FX, FL, and XL Series Motorcycles
Substantially similar U.S.-certified vehicles: 1972 through 1997 Harley Davidson FX, FL, and XL Series Motorcycles
Notice of Petition published at: 62 FR 6612 (February 12, 1997)
Vehicle Eligibility Number: VSP-202
12. Docket No. 97-012
Nonconforming Vehicle: 1974 MGB Roadster
Substantially similar U.S.-certified vehicle: 1974 MGB Roadster
Notice of Petition published at: 62 FR 6615 (February 12, 1997)
Vehicle Eligibility Number: VSP-206

[FR Doc. 97-9701 Filed 4-14-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 96-099; Notice 2]

Denial of Petition for Import Eligibility Decision

This notice sets forth the reasons for the denial of a petition submitted to the National Highway Traffic Safety Administration (NHTSA) under 49 U.S.C. 30141(a)(1)(A). The petition, which was submitted by LPC of New York, Inc. of Ronkonkoma, New York ("LPC"), a registered importer of motor vehicles, requested NHTSA to decide that 1995-1996 GMC and Chevrolet Suburban multipurpose passenger vehicles (MPVs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States. In the petition, LPC contended that these vehicle are eligible for importation on the basis that (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of 1995-1996 GMC and Chevrolet Suburbans), and (2) they are capable of being readily altered to conform to the standards.

NHTSA published a notice in the **Federal Register** on September 25, 1996 (61 FR 50371) that contained a thorough description of the petition, and solicited public comments upon it. One comment was received in response to the notice, from the North American Operations Division of General Motors Corporation ("GM"), the corporate parent of GM de Mexico, the manufacturer of the subject vehicles. In this comment, GM contended that non-U.S. certified 1995-1996 GMC and Chevrolet Suburban MPVs should not be eligible for importation because they may not be substantially similar to vehicles that were originally manufactured and certified for sale in the United States. Moreover, GM noted that extensive certification testing has not been conducted to determine whether these vehicles are capable of being readily altered to conform to the standards. GM stated that during the 1995 and 1996 model years, GM de Mexico produced only Chevrolet Suburbans for sale and use in that country, and that the company did not market any GMC Suburbans in Mexico. GM observed that these vehicles were not certified as meeting Federal motor vehicle safety standards (FMVSS).

GM noted that Chevrolet Suburbans manufactured for sale and use in Mexico contain approximately 750 parts that differ from those used on Suburbans manufactured for sale and use in the United States. The company stated that a substantial number of these parts are produced by Mexican suppliers and are not subject to the same warranty and approval process that is used by GM in purchasing parts that may affect compliance with applicable FMVSS. Parts that GM has purchased without following these procedures include ones that it describes as potentially affecting compliance with Standard Nos. 105 *Hydraulic Brake Systems*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, 120 *Tire Selection and Rims for Motor Vehicles other than Passenger Cars*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 205 *Glazing Materials*, 207 *Seating Systems*, 208 *Occupant Crash Protection*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*. Although GM acknowledged that it was unable to state that a vehicle built with the parts in question would not meet these standards, the company reiterated that neither it nor GM de Mexico has undertaken the testing that would be necessary to establish such compliance.

GM further observed that Mexican standards contain requirements for glazing, tires, brake fluids, batteries, and safety belts that differ from those in the corresponding FMVSS. Additionally, the company asserted that Mexico has no requirements similar to those in Standard Nos. 102 *Transmission Shift Lever Sequence*, *Starter Interlock*, and *Transmission Braking Effect*, 124 *Accelerator Control Sequence*, 208 *Occupant Crash Protection*, 214 *Side Impact Protection*, or 301 *Fuel System Integrity*, and to requirements in portions of Standard No. 108 *Lamps*, *Reflective Devices*, and *Associated Equipment*. Citing examples, GM stated that vehicles manufactured for the Mexican market have no center high mounted stop lamps or air bags. Additionally, the company contended that these vehicles have engines that may not meet Standard Nos. 102 and 124.

In response to a follow-up inquiry from NHTSA, GM stated that the 750 parts in Mexican Suburbans that are not found in the U.S.-certified versions of the vehicle have different part numbers from their U.S. equivalents. GM asserted that the assignment of a different part number is due to some difference in product design specifications and not simply to a difference in supplier. The

company acknowledged that it has not identified all design specification differences between these parts and the corresponding parts found on U.S.-certified vehicles. GM asserted, however, that the analysis it has performed reveals that interior trim, seat assemblies, glazing materials, tires, engines, manual transmissions, rear axles, front hub and knuckle assemblies, fuel lines, and fuel caps all have design specifications that differ in a number of areas from the specifications that apply to parts released for U.S. vehicles. GM also noted that even non-Mexican sourced parts used in Mexican Suburbans, such as automatic transmissions and fuel tank assemblies, have different design specifications from those found on U.S. certified vehicles.

NHTSA accorded LPC an opportunity to respond to GM's comments. In its response, LPC agreed with GM's assertion that components released for non-U.S. marketed Suburbans may not meet FMVSS requirements. LPC contended, however, that the specific vehicles it seeks to import were manufactured for the U.S. market with U.S.-model components, but that they lack the required certification label.

NHTSA accorded GM an opportunity to respond to LPC's comments. In its response, GM stated that it examined the vehicle identification numbers assigned to the vehicles that LPC wishes to import, and has concluded on the basis of that examination that these vehicles were not originally manufactured for sale in the United States.

NHTSA has fully considered the comments from both GM and LPC. In light of GM's claim that 1995-1996 Suburbans built for the Mexican market have 750 parts that differ from those found on U.S. certified versions of these vehicles, and that vehicles with these parts have not been tested for compliance with the FMVSS, LPC had the burden of producing information to demonstrate such compliance. Far from producing such information, LPC acknowledged agreement with GM's position. In light of this circumstance, NHTSA has concluded that the petition does not clearly demonstrate that non-U.S. certified 1995-1996 GMC and Chevrolet Suburban MPVs are eligible for importation. The petition must therefore be denied under 49 CFR 593.7(e).

In accordance with 49 U.S.C. 30141(b)(1), NHTSA will not consider a new import eligibility petition covering this vehicle until at least three months from the date of this notice.

Authority: 49 U.S.C. 30141 (a)(1)(A) and (b)(1); 49 CFR 593.7; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 10, 1997.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 97-9698 Filed 4-14-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33364]

The Burlington Northern and Santa Fe Railway Company—Acquisition and Operation Exemption—Lac Qui Parle Regional Railroad Authority

The Burlington Northern and Santa Fe Railway Company (BNSF), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 35.43 miles of line owned by the Lac Qui Parle Regional Railroad Authority (Lac Qui)¹ extending from milepost 0.00, at Hanley Falls, MN, to milepost 35.43, at Madison, MN.²

The transaction is expected to be consummated on the April 15, 1997 effective date of the exemption.

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 reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33364, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Unit, 1925 K Street NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Michael E. Roper, Esq., The Burlington Northern and Santa Fe Railway Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102-5384.

Decided: April 8, 1997.

¹ Lac Qui Parle is a political subdivision of the State of Minnesota.

² BNSF currently provides common carrier rail service over 36.2 miles of Lac Qui's rail line pursuant to *Burlington Northern Railroad Company, Modified Rail Certificate*, Finance Docket No. 30323 (ICC served Nov. 7, 1983). Lac Qui will retain ownership of the .77 miles of track not purchased by BNSF, and BNSF will continue to operate over the .77-miles of line under various industrial track agreements. Pursuant to 49 CFR 1150.24, BNSF will provide 60 days' notice of its intent to terminate the service under the Modified Rail Certificate.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-9663 Filed 4-14-97; 8:45 am]

BILLING CODE 4915-00-M

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

[AC-7; OTS Nos. H-2854 and 6842]

Security Federal Savings Bank, Elizabethton, Tennessee; Approval of Conversion Application

Notice is hereby given that on April 4, 1997, the Director, Corporate Activities, Office of Thrift Supervision, or her designee, acting pursuant to delegated authority, approved the application of Security Federal Savings Bank, Elizabethton, Tennessee, to convert to the stock form of organization. Copies of the application are available for inspection at the Dissemination Branch, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552, and the Central Regional Office, Office of Thrift Supervision, 200 West Madison Street, Suite 1300, Chicago, Illinois 60606.

By the Office of Thrift Supervision.

Dated: April 9, 1997.

Nadine Y. Washington,

Corporate Secretary.

[FR Doc. 97-9603 Filed 4-14-97; 8:45 am]

BILLING CODE 6720-01-M

UNITED STATES INFORMATION AGENCY

U.S. Advisory Commission on Public Diplomacy Meeting

AGENCY: United States Information Agency.

ACTION: Notice.

SUMMARY: A meeting of the U.S. Advisory Commission on Public Diplomacy will be held on April 16 in Room 600, 301 4th Street, S.W., Washington, D.C., from 10:00 a.m. To 12:00 noon.

At 10:00 a.m. The Commission will meet with Dr. Barry M. Blechman, Chairman, The Henry L. Stimson Center, and Mr. John A. Schall, Executive Director, Project on the Advocacy of U.S. Interests Abroad of The Henry L. Stimson Center, to discuss the Center's study of how to organize the U.S. government and representation abroad to conduct foreign affairs, and how to link resources to foreign policy needs.