

- A new frontal oblique test to address a crash type that continues to result in deaths and serious injuries despite the use of seat belts, air bags, and the crashworthy structures of late-model vehicles;

- Use of the THOR 50th percentile male anthropomorphic test device (ATD) (*i.e.*, crash test dummy) in the frontal oblique and full frontal tests because of its advanced instrumentation and more human-like (*i.e.*, biofidelic) response to the forces experienced in these crashes;

- Use of the WorldSID 50th percentile male ATD in both side pole and side moveable deformable barrier tests because of its advanced instrumentation and enhanced biofidelic properties;

- Pedestrian crashworthiness testing to measure the extent to which vehicles are designed to minimize injuries and fatalities when they strike pedestrians;

- An update of the rollover static stability factor risk curve using crash data from only newer electronic stability control equipped vehicles;

- The addition of a crash avoidance rating based on whether a vehicle offers any of the multiple technologies that will be added to NCAP and whether the technologies meet NHTSA performance measures;

- These technologies would include forward collision warning, lane departure warning, blind spot detection, lower beam headlighting technologies, semi-automatic headlamp beam switching, amber rear turn signal lamps, rear automatic braking and pedestrian automatic emergency braking. (A decision concerning the addition of crash imminent braking and dynamic brake support to the technologies recommended by NCAP is the subject of a separate proceeding recently published.²)

- A new approach to determining a vehicle's overall 5-star rating that will, for the first time, incorporate advanced crash avoidance technology features, along with ratings for crashworthiness and pedestrian protection.

You can learn more about the planned upgrade by reviewing the RFC notice and the supplementary documents located at <http://www.safercar.gov/5Stars> or in the docket.

Should it be necessary for the agency to cancel either public hearing due to inclement weather or any other emergencies, a decision to cancel will be made as soon as possible and emailed to those individuals who have registered to provide oral comments. If you do not have access to email, you

may call the contacts listed in this announcement and leave your telephone number and/or email address. You will be contacted only if the public hearing is postponed or canceled.

Public Hearing Procedures. Because the hearings will be located in Federal facilities, security screening will be required. Attendees will need to show photo identification and be screened for security purposes. Please plan your arrival so as to allow sufficient time to complete the screening. Please note that the Patrick McNamara Federal Building does not open until 8:00 a.m.

NHTSA will conduct the hearings informally. Thus, technical rules of evidence will not apply. Panel members may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. You may make arrangements to obtain copies of the transcripts directly with the court reporter. Written statements and supporting information submitted during the comment period on the RFC notice will be considered with the same weight as oral comments and supporting information presented at the public hearings. The RFC notice provides that written comments should be submitted no later than February 16, 2016.

Raymond R. Posten,

Associate Administrator for Rulemaking,

[FR Doc. 2015-32184 Filed 12-22-15; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. MCF 21065]

National Express LLC—Acquisition of Control—White Plains Bus Company, Inc.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice Tentatively Approving and Authorizing Finance Transaction.

SUMMARY: On November 23, 2015, National Express LLC (National Express or Applicant), a non-carrier, filed an application under 49 U.S.C. 14303 so that it can acquire common control of White Plains Bus Company, Inc. (White Plains). The Board is tentatively approving and authorizing the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. Persons wishing to oppose the application must follow the rules at 49 CFR 1182.5 and 1182.8.

DATES: Comments must be filed by February 8, 2016. Applicant may file a

reply by February 22, 2016. If no comments are filed by February 8, 2016, this notice shall be effective on February 9, 2016.

ADDRESSES: Send an original and 10 copies of any comments referring to Docket No. MCF 21065 to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, send one copy of comments to Applicant's representative: Andrew K. Light, Scopelitis, Garvin, Light, Hanson & Feary, P.C., 10 W. Market Street, Suite 1500, Indianapolis, IN 46204.

FOR FURTHER INFORMATION CONTACT:

Nathaniel Bawcombe (202) 245-0376. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

SUPPLEMENTARY INFORMATION: Applicant, a non-carrier, states that it is a holding company organized under the laws of the state of Delaware. According to Applicant, it is indirectly controlled by a British corporation, National Express Group, PLC (Express Group). Applicant states that Express Group indirectly controls the following passenger motor carriers (National Express Affiliated Carriers): Beck Bus Transportation Corp. (Beck), Carrier Management Corporation (CMI), Durham School Services, L.P. (Durham), MV Student Transportation, Inc. (MV), National Express Transit Corporation (NETC), National Express Transit Services Corporation (NETSC), Petermann Ltd. (LTD), Petermann Northeast LLC (Northeast), Petermann Northwest LLC (Northwest), Petermann Southwest LLC (Southwest), Petermann STSA, LLC (STSA), Trans Express, Inc. (Trans Express), and Rainbow Management Service Inc. (Rainbow).

Applicant alleges the following facts regarding a number of interstate and intrastate for-hire passenger motor carrier authorities collectively held by the National Express Affiliated Carriers:

- Beck is a passenger motor carrier primarily engaged in providing student school bus transportation services in the states of Illinois and Indiana under contracts with regional and local school jurisdictions. Beck also provides charter passenger services to the public.

- CMI is a passenger motor carrier doing business as Matthews Bus Company and is primarily engaged in providing student school bus transportation services in the state of Pennsylvania under contracts with regional and local school jurisdictions. CMI also provides intrastate charter passenger services to the public.

- Durham is a passenger motor carrier primarily engaged in providing student school bus transportation services in approximately 32 states under contracts

² See www.regulations.gov, Docket No. NHTSA-2015-0006-0024.

with regional and local school jurisdictions. Durham also provides charter passenger services to the public.

- MV is a passenger motor carrier primarily engaged in providing student school bus transportation services in the state of Missouri under contracts with regional and local school jurisdictions. MV also provides charter passenger services to the public.

- NETC is an intrastate passenger motor carrier incorporated under the laws of the state of Delaware.

- NETSC is a passenger motor carrier engaged primarily in providing intrastate transit services in the areas of Westmoreland, Pa.; Arlington, Va.; Greensboro, N.C.; Vallejo, Cal.; and Yuma, Ariz.

- LTD is a passenger motor carrier primarily engaged in providing student school bus transportation services in the state of Ohio under contracts with regional and local school jurisdictions. LTD also provides charter passenger services to the public.

- Northeast is a passenger motor carrier primarily engaged in providing student school bus transportation services, primarily in the states of Ohio and Pennsylvania under contracts with regional and local school jurisdictions. Northeast also provides charter passenger services to the public.

- Northwest's principal place of business is located in Oakland, Cal.

- Southwest is a passenger motor carrier primarily engaged in providing student school bus transportation services in the state of Texas under contracts with regional and local school jurisdictions. In addition to its core school bus services, Southwest also provides charter passenger services to the public.

- STSA is a passenger motor carrier primarily engaged in providing student school bus transportation services, primarily in the state of Kansas under contracts with regional and local school jurisdictions. STSA also provides charter passenger services to the public.

- Trans Express provides point-to-point intrastate passenger transportation services between the boroughs of Brooklyn and Manhattan in the state of New York pursuant to authority provided by the New York Department of Transportation. Rainbow provides interstate and intrastate charter and special party passenger transportation services in the areas of New York City and the state of New York.

Applicant states that White Plains is a New York corporation that holds authority from the Federal Motor Carrier Safety Administration as a motor carrier of passengers (MC-160624). Applicant explains that the three shareholders of

White Plains are Stephen Lennox, Terence Lennox, and John Silvanie.¹

Applicant states that White Plains operates primarily as a provider of non-regulated school bus transportation services, transporting children to and from school throughout the State of New York. White Plains also operates as a motor passenger carrier providing charter service to the public using its fleet of buses and vans. White Plains maintains a fleet of roughly 264 buses and transit vans and has approximately 154 drivers.

Applicant explains that National Express would assume direct 100 percent control of White Plains through stock ownership.

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction that it finds consistent with the public interest, taking into consideration at least: (1) The effect of the proposed transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees. Applicant submitted information, as required by 49 CFR 1182.2, including information to demonstrate that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b), and a statement that the aggregate gross operating revenues of the National Express Affiliated Carriers and White Plains exceeded \$2 million for the preceding 12-month period. *See* 49 U.S.C. 14303(g).

Applicant submits that the proposed transaction would have no significant impact on the adequacy of transportation services to the public. According to Applicant, White Plains would continue to provide the services it currently provides using the same names for the foreseeable future. Applicant states that White Plains "will continue to operate, but going forward, it will be operating within the National Express corporate family, an organization already thoroughly experienced in passenger transportation operations." (Appl. 10.)

Applicant states that "[t]he addition of [White Plains] to the National Express group is consistent with the practices within the passenger motor carrier industry of strong, well-managed transportation organizations adapting their corporate structure to operate several different passenger carriers within the same market niche but in different geographic areas." (Appl. 10.)

¹ Stephen Lennox, Terence Lennox, and John Silvanie also commonly own Suburban Charter Service Inc., a New York corporation, which is not part of this transaction.

Applicant asserts that White Plains is experienced in some of the same market segments already served by National Express and some of the National Express Affiliated Carriers. Applicant expects the transaction to result in operating efficiencies and cost savings derived from economies of scale, all of which would help to ensure the provision of adequate service to the public.

Applicant also submits that, "[b]ringing [White Plains] within the National Express family will serve to enhance the viability of the overall National Express organization" and therefore the continued availability of adequate passenger transportation service for the public. (Appl. 11.)

Applicant further claims that neither competition nor the public interest would be adversely affected. According to Applicant, White Plains is a relatively small carrier in the overall markets in which it competes: intrastate point-to-point passenger service, and interstate and intrastate charter and special party passenger service. Applicant states that school bus operators typically occupy a limited portion of the charter business because (i) the equipment offered is not as comfortable as that offered by motor coach operators; and (ii) scheduling demands imposed by the primary school bus operation impose major constraints on charter services that can be offered by school bus operators. Applicant argues that even as a provider of charter services, White Plains operates a small fleet that does not have market power. It explains that the charter operations of White Plains are geographically dispersed and there is little overlap in service areas and/or in customer bases between the National Express Affiliated Carriers and White Plains.

Applicant asserts there are no fixed charges associated with the contemplated transaction or the proposed acquisition of control. Applicant also states that it does not anticipate a measurable reduction in force or changes in compensation and benefits, though some limited downsizing of back office or managerial level personnel could occur.

The Board finds that the acquisition proposed in the application is consistent with the public interest and should be tentatively approved and authorized. If any opposing comments are timely filed, these findings will be deemed vacated, and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. *See* 49 CFR 1182.6(c). If no opposing comments are filed by the

expiration of the comment period, this notice will take effect automatically and will be the final Board action.

Board decisions and notices are available on our Web site at "WWW.STB.DOT.GOV".

It is ordered:

1. The proposed transaction is approved and authorized, subject to the filing of opposing comments.

2. If opposing comments are timely filed, the findings made in this notice will be deemed vacated.

3. This notice will be effective February 9, 2016, unless opposing comments are filed by February 8, 2016.

4. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590.

Decided: December 17, 2015.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Miller.

Tia Delano,
Clearance Clerk.

[FR Doc. 2015-32313 Filed 12-22-15; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. EP 290 (Sub-No. 5) (2016-1)]

Quarterly Rail Cost Adjustment Factor

AGENCY: Surface Transportation Board.

ACTION: Approval of rail cost adjustment factor.

SUMMARY: The Board has approved the first quarter 2016 Rail Cost Adjustment Factor (RCAF) and cost index filed by the Association of American Railroads. The first quarter 2016 RCAF (Unadjusted) is 0.864. The first quarter 2016 RCAF (Adjusted) is 0.368. The first quarter 2016 RCAF-5 is 0.347.

DATES: *Effective Date:* January 1, 2016.

FOR FURTHER INFORMATION CONTACT: Pedro Ramirez, (202) 245-0333. Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877-8339.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision, which is available on our Web site, <http://www.stb.dot.gov>. Copies of the decision may be purchased by contacting the Office of

Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

This action will not significantly affect either the quality of the human environment or energy conservation.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Miller.

Decided: December 17, 2015.

Brendetta S. Jones,
Clearance Clerk.

[FR Doc. 2015-32307 Filed 12-22-15; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; Maserati North America, Inc.

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the Maserati North America, Inc.'s, (Maserati) petition for an exemption of the Levante sports utility vehicle (SUV) line in accordance with 49 CFR part 543, *Exemption from Vehicle Theft Prevention Standard*. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the 49 CFR part 541, *Federal Motor Vehicle Theft Prevention Standard* (Theft Prevention Standard).

DATES: The exemption granted by this notice is effective beginning with the 2017 model year (MY).

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, W43-443, 1200 New Jersey Avenue SE., Washington, DC 20590. Ms. Mazyck's phone number is (202) 366-4139. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: In a petition dated October 23, 2015, Maserati requested an exemption from the parts-marking requirements of the Theft Prevention Standard for the Levante vehicle line beginning with MY 2017. The petition requested an exemption from parts-marking pursuant

to 49 CFR part 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under 49 CFR part 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one vehicle line per model year. In its petition, Maserati provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the Levante vehicle line. Maserati stated that beginning with the 2017 model year, its Levante vehicles will be equipped with a passive, antitheft device as standard equipment. Specifically, the device will consist of a vehicle alarm system (VTA), a remote keyless entry (RKE) system and a sentry key immobilizer system (SKIS). Key components of Maserati's antitheft device are a siren and/or horn, hood ajar switch, security indicator, RFHub/Keyless Ignition Node (KIN) and Key fob (FOBIK), Intrusion and Inclination Sensor, Door Ajar Switches, Intrusion Module, Central Body Controller, RKE and the SKIS. Maserati also informed the agency that an audible and visual vehicle alarm system (VTA) has been incorporated into the device to provide perimeter protection that will monitor the vehicle's doors, tailgate, ignition switch, interior vehicle intrusion and inclination sensors against unauthorized use or tampering. Maserati further stated that if unauthorized use or tampering with any of these protected areas is detected, the vehicle's horn/siren will sound and the exterior lamps will flash.

Maserati further stated that activation of its immobilizer device is automatically achieved when the ignition is turned from the "run" position to the "off" position. Once activated, only the use of a valid key can disable immobilization and allow the vehicle to run. Maserati stated that the device is deactivated by performing an unlock actuation via the RKE transmitter or by starting the vehicle with a valid RFHub key. Specifically, Maserati stated that to start the vehicle, the driver must press and hold the brake pedal while pressing the START/STOP button. The system takes over and engages the starter causing the starter motor to run and automatically disengage while the engine is running. Maserati also stated that the RFHub contains and controls the SKIS preventing the engine from running more than 2 seconds unless a valid FOBIK key is used to start the engine. Maserati stated that the vehicle's key fob with RKE transmitter, RFHub and the KIN contains over 50,000 possible electronic key combinations and allows