

Systems, 105 Hydraulic Brake Systems, 106 Brake Hoses, 107 Reflecting Surfaces, 109 New Pneumatic Tires, 113 Hood Latch Systems, 116 Brake Fluid, 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, 216 Roof Crush Resistance, 219 Windshield Zone Intrusion, and 302 Flammability of Interior Materials.

Additionally, the petitioner states that the non-U.S. certified 1992 Jeep Cherokee complies with the Bumper Standard found in 49 CFR Part 581.

Petitioner also contends 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) substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) installation of a seat belt warning lamp; (c) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) installation of U.S.-model headlamp assemblies; (b) installation of U.S.-model front and rear sidemarker/reflector assemblies; (c) installation of U.S.-model taillamp assemblies.

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

Standard No. 111 *Rearview Mirror*: replacement of the convex passenger side rearview mirror.

Standard No. 114 *Theft Protection*: installation of a warning buzzer microswitch and a warning buzzer in the steering lock assembly.

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. 118 *Power Window Systems*: rewiring of the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 208 *Occupant Crash Protection*: (a) installation of a U.S.-model seat belt in the driver's position, or a belt webbing actuated microswitch inside the driver's seat belt retractor; (b)

installation of an ignition switch actuated seat belt warning lamp and buzzer. The petitioner states that the vehicle is equipped with a lap and shoulder restraint that adjusts by means of an automatic retractor and releases by means of a single push button at each front designated seating position, and with a lap and shoulder restraint that releases by means of a single push button at each rear outboard seating positions.

Standard No. 301 *Fuel System Integrity*: installation of a rollover valve in the fuel tank vent line between the fuel tank and the evaporative emissions collection canister.

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: May 7, 1996.
Marilynne Jacobs,
Director, Office of Vehicle Safety Compliance.
[FR Doc. 96-11785 Filed 5-9-96; 8:45 am]
BILLING CODE 4910-59-P

[Docket No. 96-39; Notice 1]

Notice of Tentative Decision That Certain Nonconforming Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on tentative decision that certain nonconforming vehicles are eligible for importation.

SUMMARY: This notice requests comments on a tentative decision by the National Highway Traffic Safety Administration (NHTSA) that certain motor vehicles that are certified as complying with Canadian Motor Vehicle Safety Standard No. 208,

Occupant Restraint Systems, but do not comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*, are nevertheless eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturers as complying with the safety standards, and (2) they are capable of being readily altered to conform to FMVSS No. 208.

DATES: The closing date for comments on this tentative decision is June 10, 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 (15 U.S.C. § 1381 *et seq.*) (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards (FMVSS) shall be refused admission into the United States unless NHTSA has decided, either pursuant to a petition from the manufacturer or registered importer or on its own initiative, 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.

On August 13, 1990, NHTSA published a Federal Register notice at 55 FR 32988 announcing that it had made a final determination on its own initiative that certain motor vehicles that are certified by their original manufacturer as complying with all applicable Canadian motor vehicle safety standards (CMVSS) are eligible for importation into the United States under the precursor to 49 U.S.C. § 30141(a)(1)(A). As identified in the notice, the Canadian-certified vehicles determined to be eligible for importation include:

All passenger cars manufactured on or after September 1, 1989 which are equipped by their original manufacturer with an automatic restraint system that complies with Federal Motor Vehicle Safety Standard

(FMVSS) No. 208, *Occupant Crash Protection*.

The notice explained that NHTSA had examined the CMVSS and found that, in most essential respects, they are identical to the FMVSS, and that the most significant difference between the two sets of standards concerned occupant protection requirements. NHTSA noted that CMVSS No. 208, *Occupant Restraint Systems*, does not require a passenger car to be equipped with automatic restraints, in contrast to FMVSS No. 208, *Occupant Crash Protection*, which requires automatic restraints in front designated seating positions for all passenger cars manufactured on and after September 1, 1989. Owing to this difference, and the agency's uncertainty that Canadian-certified vehicles could be retrofitted with automatic restraint systems, NHTSA limited its eligibility determination to passenger cars manufactured before September 1, 1989, or those manufactured on or after that date that are equipped by their original manufacturer with an automatic restraint system that complies with FMVSS No. 208.

The notice observed that in the absence of a determination by NHTSA on its own initiative, any manufacturer or registered importer could petition the agency to determine whether a vehicle requiring the installation of an automatic restraint system to comply with FMVSS No. 208 was eligible for importation into the United States. In the ensuing years, NHTSA has received, and granted, a number of petitions from registered importers seeking import eligibility decisions on vehicles requiring the installation or replacement of automatic restraint systems to comply with FMVSS No. 208. These petitions were granted on the basis of information demonstrating that automatic restraints could be installed in the subject vehicles without the need for significant structural modifications that would render those vehicles incapable of being readily altered to conform to the standards, and therefore ineligible for importation under the criteria specified in 49 U.S.C. § 30141(a)(1)(A).

Through its monitoring of vehicle imports, NHTSA has identified the vehicles listed in the annex to this notice as ones that have been recently imported into the United States from Canada that do not meet the requirements of FMVSS No. 208 because they lack an automatic restraint system at both outboard front seating positions. These vehicles are certified by their original manufacturers as complying with all applicable CMVSS.

In order to develop a realistic enforcement policy concerning these vehicles, and to determine whether to allow future importations of similar vehicles, NHTSA is soliciting comments through this notice on whether the vehicles listed in the annex are capable of being readily altered to comply with FMVSS No. 208.

Tentative Decisions

Pending its review of any comments submitted in response to this notice, NHTSA hereby tentatively decides that each of the passenger cars listed in the annex to this notice is substantially similar to a passenger car originally manufactured for sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Vehicle Eligibility Number

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. If these tentative decisions are ultimately made final, all passenger cars listed in the annex to this notice will be eligible for entry into the United States under Vehicle Eligibility No. VSA-1.

Comments

Section 30141(b) of Title 49, U.S. Code requires NHTSA to provide a minimum period for public notice and comment on decisions made on its own initiative consistent with ensuring expeditious, but full consideration and avoiding delay by any person. NHTSA believes that a minimum comment period of 30 days is appropriate for this purpose. Interested persons are invited to submit comments on the tentative decisions described above. It is requested, but not required, that five 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 NHTSA's final decision 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; delegation of authority at 49 CFR 1.50.

Issued on: May 7, 1996.

Ricardo Martinez,
Administrator.

Annex

Vehicles Covered by Tentative Decision

The following passenger cars, certified by their original manufacturer as complying with all applicable Canadian Motor Vehicle Safety Standards:

1994 and 1995 Chrysler LeBaron
1994 and 1995 Dodge Spirit
1994 and 1995 Dodge Shadow
1994 and 1995 Dodge Viper
1994 and 1995 Plymouth Acclaim
1994 and 1995 Plymouth Sundance
1995 Mazda Protégé

[FR Doc. 96-11786 Filed 5-9-96; 8:45 am]

BILLING CODE 4910-59-P

Surface Transportation Board ¹

[STB Finance Docket No. 32879]

Nebraska Central Railroad Company— Lease and Operation Exemption— Lines of Union Pacific Railroad Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of Exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts from the prior approval requirements of 49 U.S.C. 10902 the lease and operation by Nebraska Central Railroad Company of three branch lines of Union Pacific Railroad Company consisting of: (1) a line of railroad extending from milepost 83.3 to milepost 80.0 (approximately 3.3 miles); (2) a line of railroad extending from milepost 46.1 to milepost 43.44 (approximately 2.7 miles); and (3) the Norfolk Branch extending from milepost 0.0 to milepost 46.1 (approximately 1.5 miles),² in Norfolk, NE.

DATES: This exemption is effective on May 10, 1996. Petitions to stay must be filed by May 16, 1996. Petitions to reopen must be filed by June 3, 1996.

ADDRESSES: Send pleadings, referring to STB Finance Docket No. 32879, to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch,

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. 10902.

² The mileposts here describe locations on separate branch lines. Thus, the mileage between these two points is actually about 1.5 miles, and not 46.1 miles.