

completed, we will carefully consider any comments that are received.

### Study of Gambling on Commercial Aircraft

#### Background

Section 205 of the Federal Aviation Administration Authorization Act of 1994 (the "Act"), P.L. No. 103-305 (August 23, 1994) added section 41311 to Title 49 of the U.S. Code. Under 49 U.S.C. 41311(a), "an air carrier or foreign air carrier may not install, transport, or operate, or permit the use of any gambling device on board an aircraft in foreign air transportation." Section 41311(a) was designed to clarify current statutory prohibitions and to ensure equal treatment of U.S.-flag air carriers with foreign flag carriers with regard to in-flight gambling on commercial aircraft while the Department of Transportation studied the issue and recommended whether a different approach might be appropriate. Moreover, there was some concern that at some future time a different rule might be more appropriate. See 140 Cong. Rec. S6664 (June 9, 1994).

Pursuant to 49 U.S.C. 41311(b), the Secretary of Transportation is required to complete a study not later than one year (August 23, 1995) after the date of the enactment of the Federal Aviation Administration Authorization Act of 1994.

The study must have three components outlined as follows:

(1) the aviation safety effects of gambling applications on electronic interactive video systems installed on board aircraft for passenger use, including an evaluation of the effect of such systems on the navigational and other electronic equipment of the aircraft, on the passengers and crew of the aircraft and on issues relating to the method of payment;

(2) the competitive implications of permitting foreign air carriers only, but not United States air carriers, to install, transport, and operate gambling applications on electronic interactive video systems on board aircraft in the foreign commerce of the United States on flights over international waters, or in fifth freedom city-pair markets; and

(3) whether gambling should be allowed on international flights, including proposed legislation to effectuate any recommended changes in existing law.

Within five days after completion of the study, the Secretary of Transportation must submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of the study.

Interested parties are invited to participate in this study of gambling on aircraft by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasonable responses to the congressional issues raised. Comments are specifically invited regarding:

(a) Effects on safety of allowing gambling devices, including payment methods, to be installed and/or operated onboard aircraft including the effects on: (1) Navigational and other electronic equipment, and (2) passengers and crew. Regarding payment methods, at a minimum, the following issues are of particular interest—payments that require an air-to-surface interface, and whether payments/losses will interfere with passenger safety and duties of the crew.

(b) Competitive effects of retaining, lifting, or modifying the current restrictions on U.S. carriers with respect to (1) foreign air transportation, (2) code-share arrangements, and (3) flights involving fifth freedom markets.

(c) Whether gambling should be allowed in foreign air transportation by U.S. and/or foreign air carriers.

(Authority Citation: 49 U.S.C. 41311)

Dated: April 27, 1995.

#### Patrick V. Murphy

*Acting Assistant Secretary for Aviation and International Affairs, Department of Transportation.*

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### Federal Aviation Administration

#### Airborne Ground Proximity Warning Equipment; Proposed Technical Standard Order

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability for public comment.

**SUMMARY:** This notice announces the availability of and request comments on a proposed technical standard order (TSO) pertaining to airborne ground proximity equipment. The proposed TSO prescribes the minimum performance standards that airborne ground proximity equipment must meet to be identified with the marking "TSO-C92c."

**DATES:** Comments must identify the TSO file number and be received on or before August 4, 1995.

**ADDRESSES:** Send all comments on the proposed technical standard order to: Technical Programs and Continued

Airworthiness Branch, AIR-120, Aircraft Engineering Division, Aircraft Certification Service—File No. TSO-C92c, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. Or deliver comments to: Federal Aviation Administration, Room 804, 800 Independence Avenue, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Ms. Bobbie J. Smith, Technical Programs and Continued Airworthiness Branch, AIR-120, Aircraft Engineering Division, Aircraft Certification Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, Telephone (202) 267-9546.

#### Comments Invited

Interested persons are invited to comment on the proposed TSO listed in this notice by submitting such written data, views, or arguments as they desire to the above specified address. Comments received on the proposed technical standard order may be examined, before and after the comment closing date, in Room 804, FAA Headquarters Building (FOB-10A), 800 Independence Avenue, SW., Washington, DC 20591, weekdays except Federal holidays, between 8:30 a.m. and 4:30 p.m. All communications received on or before the closing date for comments specified above will be considered by the Director of the Aircraft Certification Service before issuing the final TSO.

#### Background

The FAA has reviewed TSO-C92b and the referenced RTCA, Inc., Document No. DO-161A and finds that there is a need to revise this TSO to address NTSB Safety Recommendations A-92-39 through A-92-42 and to update the computer software and environmental requirements.

Proposed TSO-C92c would add two new requirements: Each aural warning shall identify the reason for a GPWS warning, and each approved equipment would include airspeed in the logic that determines GPWS warning times. These requirements should satisfy Safety Recommendations A-92-39 and A-92-40. The proposal adds a new paragraph which will allow added features, such as altitude callouts during nonprecision approaches and warnings based on airport location and aircraft position data. This paragraph addresses Safety Recommendations A-92-41 and A-92-42. Additionally, the FAA proposes to include RTCA DO-178B as the computer software requirement (none specified in TSO-C92b) and to update

the environmental standard with RTCA DO-160C.

#### How To Obtain Copies

A copy of the proposed TSO-C92c may be obtained by contacting "For Further Information Contact." Copies of RTCA Document No. DO-161A, "Minimum Performance Standards for Airborne Ground Proximity Warning Equipment," may be purchased from the RTCA Inc., 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036.

Issued in Washington, DC, on April 18, 1995.

**Abbas A. Rizvi,**

*Acting Manager, Aircraft Engineering Division, Aircraft Certification Service.*

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#### National Highway Traffic Safety Administration

[Docket No. 95-21, Notice No. 01]

#### Availability and Request for Comment on Draft Report to Congress on the Benefits of Safety Belts and Motorcycle Helmets

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

**ACTION:** Notice of availability and request for comment on draft report to Congress on the benefits of safety belts and motorcycle helmets required by the Intermodal Surface Transportation Efficiency Act of 1991.

**SUMMARY:** This notice announces the availability of the draft of the report to Congress on the benefits of safety belts and motorcycle helmets generated from the Crash Outcome Data Evaluation System (CODES) Project. The Report was mandated by Section 1031(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). As required in the ISTEA, the agency seeks comments on the draft report. The comments will be evaluated and incorporated, as appropriate, into the final report which will be provided to the Congress in February, 1996.

**DATES:** Comments on the draft report are due no later than August 1, 1995.

**ADDRESSES:** Interested persons may obtain a copy of the draft report, free of charge, from NHTSA's Docket Section at the address below. Written comments should refer to the docket and notice number of this notice and should be submitted to: Docket Section, Room 5109, NASSIF Building, 400 Seventh Street, SW., Washington, DC 20590.

Telephone: 202-366-4949. Docket hours are 9:30 a.m. to 4:00 p.m., Monday through Friday.

**SUBMISSION OF COMMENTS:** Interested persons are invited to submit comments on the draft report. It is requested, but not required, that 10 copies be submitted. All comments must not exceed 10 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 10 page limit. This limitation is intended to encourage commenters to detail their arguments in a concise fashion. All comments received before the close of business on the comment closing date indicated above for the draft report 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 also will be considered. Those persons desiring to be notified upon receipt of their comments in the docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dennis Utter, National Center for Statistics and Analysis NRD-31, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590: Telephone 202-366-5351.

**SUPPLEMENTARY INFORMATION:** The Report to Congress on the benefits of safety belts and motorcycle helmets was mandated by Section 1031(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Grants were awarded to entities in Hawaii, Maine, Missouri, New York, Pennsylvania, Utah, and Wisconsin to obtain the data and perform the analyses upon which this report is based. NHTSA entitled the project the Crash Outcome Data Evaluation System (CODES) Project. These CODES grantee states linked statewide motor vehicle crash report data and computerized emergency medical service, emergency department, hospital discharge, and rehabilitative/long-term care data, so that those people injured in motor vehicle crashes could be followed through the health care system. The medical and financial outcome information was then used to determine the benefits of the protective devices in crashes. The grantees have provided NHTSA with the results of analyses using these data, and NHTSA has summarized the results of the individual state studies to produce the

draft report to Congress. After the close of the comment period, NHTSA will review any comments received and make appropriate modifications to the report. The final version is to be delivered to Congress by February, 1996.

The draft report provides an overview of the study, the databases used, and the methodology used to link and analyze the data. The effectiveness rates presented in the report show that safety belts are highly effective in preventing injury and fatality in motor vehicle traffic crashes, particularly the more serious injuries. Motorcycle helmets also are effective in preventing fatalities and serious injuries, but not as effective in preventing minor injuries. Average inpatient charges are compared for belted and unbelted passenger vehicle drivers and for helmeted and unhelmeted motorcycle riders. Because the estimates of safety belt effectiveness are higher than NHTSA's current estimates, a discussion is presented about the potential effect of over-reporting of safety belt use on the study results. However, the results support NHTSA's belief that safety belts and motorcycle helmets are effective in reducing mortality and morbidity and showed, for the first time, that costs (inpatient charges) were significantly higher for unbelted hospitalized drivers compared to those who used their safety belts.

The CODES project had other benefits. The project demonstrated the efficacy of linking crash data files with medical outcome data files. Through the cooperation of the highway safety and medical communities, CODES was the first project to link state highway safety and injury-related databases using a probabilistic linkage algorithm, whereby statewide data from police crash reports, emergency medical services, hospital emergency departments, hospital discharge files, claims, and other sources were linked, without in most states the benefit of personal identifiers. The project also showed examples of the value of the linked data. Several of the CODES states have used their data to support highway safety initiatives and to produce research articles. Because the linked data are permanent and state specific, they can continue to be used now and in the future at minimal cost to support state and local highway safety initiatives.

Issued On: April 27, 1995.

**Ricardo Martinez,**

*Administrator, National Highway Traffic Safety Administration.*

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