

32. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared the foregoing Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in this document. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the *notice*, but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis. The Secretary shall send a copy of this notice of proposed rule making, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act (Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. Section 601 *et seq.* (1981)).

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

William F. Caton,
Acting Secretary.

[FR Doc. 95-16640 Filed 7-6-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 95-101, RM-8646]

Radio Broadcasting Services; Viola, AR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Fulton County Broadcasters, requesting the allotment of FM Channel 232C3 to Viola, Arkansas, as that community's first local aural transmission service. Coordinates used for this proposal are 36-19-00 and 91-57-00.

DATES: Comments must be filed on or before August 21, 1995, and reply comments on or before September 5, 1995.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: William J. Pennington, III, Esq., 5519 Rockingham Road-East, Greensboro, NC 27407.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-101, adopted June 14, 1995, and released June 29, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-16644 Filed 7-6-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-96, RM-8645]

Radio Broadcasting Services; Lakeview, AR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Dale Hendrix, requesting the allotment of FM Channel 228C3 to Lakeview, Arkansas, as that community's first local aural transmission service. Coordinates used for this proposal are 36-25-27 and 92-34-25.

DATES: Comments must be filed on or before August 21, 1995, and reply comments on or before September 5, 1995.

ADDRESSES: Secretary, Federal Communications Commission,

Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: William J. Pennington, III, Esq., 5519 Rockingham Road-East, Greensboro, NC 27407.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-96, adopted June 12, 1995, and released June 29, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-16647 Filed 7-6-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-97, RM-8651]

Television Broadcasting Services; Tazewell, TN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by James F. Stair, II, proposing the allotment of UHF TV Channel 48 to Tazewell, Tennessee. Channel 48 can be allotted to Tazewell

consistent with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission's Rules with a plus offset and a site restriction of 1.9 kilometers (1.2 miles) west. The coordinates for Channel 48+ are 36-27-32 and 83-35-07. The proposed allotment at Tazewell is not affected by the temporary freeze on new television allotments in certain metropolitan areas. It is also proposed to change the offsets designation for Channel 48 at Greenwood, South Carolina, and Channel 48 at Columbus, Georgia.

DATES: Comments must be filed on or before August 21, 1995, and reply comments on or before September 5, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James F. Stair, II, 2424 Bainbridge Way, Powell, Tennessee 37849 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-97, adopted June 13, 1995, and released June 29, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-16643 Filed 7-6-95; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards

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

ACTION: Denial of petition for rulemaking.

SUMMARY: This document denies a petition from Mr. Charles Smyth for rulemaking to require the use of Daytime Running Lights (DRLs) on all vehicles in America. The agency does not have the authority to require retrofitting of vehicles in use, and the issue of mandatory DRLs on new motor vehicles has been considered by the agency on numerous occasions and is still under consideration. Federal Motor Vehicle Safety Standard No. 108; "Lamps, Reflective Devices and Associated Equipment," was amended in 1993 to permit new vehicles to be equipped with DRLs and to assure that if used, they cause no safety problems. Canada mandated DRLs on all new passenger cars, multipurpose vehicles, buses and trucks manufactured for sale after December 1, 1989. General Motors (GM), SAAB, Volvo, and Volkswagen have begun to market DRL equipped vehicles in the United States (U.S.). NHTSA is monitoring Canadian U.S. crash data to evaluate the benefit of DRL use in the U.S. Should the safety experience demonstrate that DRLs are cost-effective safety devices, NHTSA would consider mandating them.

FOR FURTHER INFORMATION CONTACT: Mr. Jere Medlin, Office of Rulemaking, NHTSA, 400 Seventh Street SW., Washington, DC 20590. Mr. Medlin's telephone numbers are: (202) 366-5276; FAX (202) 366-4329.

SUPPLEMENTARY INFORMATION: By a letter dated February 17, 1995, Mr. Charles Smyth petitioned the agency to require the use of DRLs on all cars in America. Mr. Smyth stated that SAAB cars have had DRLs since 1968 and that Sweden made them mandatory in 1977. He also stated that Volvo had made DRLs

standard on its 1995 cars. Mr. Smyth stated that Transport Canada had just completed a study that showed an 8.3% reduction of two-vehicle, opposing-direction, daytime collisions by comparing the crash experience of vehicle model years before and after the DRL legislation (mandate) in Canada. Mr. Smyth claims other studies have shown reductions in crashes among vehicles where DRLs have been used and that the growing support for DRLs is overwhelming. However, Mr. Smyth did not provide any analysis of the potential benefits of DRLs in U.S. driving situations in his petition nor did he consider the cost to the public of such a decision.

NHTSA has investigated the use of "lamps on" to improve highway safety. The use of DRLs, headlamps or other lamps on the front of the vehicle during the daytime makes vehicles more visible. NHTSA has tested DRLs, in white and amber colors, with intensities ranging from as bright as turn signal lamps to brighter than lower beam headlamps. These lamps operate automatically with the ignition switch, with no other lamps being illuminated. NHTSA has carefully analyzed DRL studies from around the world for the effectiveness of automotive DRLs in reducing crashes. The agency has not yet found any studies that have shown conclusively that DRLs would be effective in reducing the number of crashes in the U.S.

A 1990 study by the Netherlands TNO Institute for Perception titled "Daytime Running Lights: A Review of Theoretical Issues and Evaluation Studies" concluded that there is no unequivocal evidence of an effect of DRL on accident rates. Most of these former DRL studies had statistical or methodological shortcomings such that their value to NHTSA in evaluating DRL use in the U.S. was limited. Michael Perel reviewed previous DRL studies in "Evaluation of the Conspicuity of Daytime Running Lights," *Auto & Traffic Safety*, Summer 1991, Vol. 1 No. 1, National Highway Traffic Safety Administration Document No. DOT-HS-807-755. Perel found that flaws such as collecting data only during twilight-viewing conditions, too few subjects for statistical validity, unintended bias introduced by failure to randomize DRL application between study groups, comparing non-comparable groups, and subjective measurement/observer bias influences, existed in these studies. Perel noted that the Netherlands postponed a planned regulation of DRLs because of criticism of past studies. Additionally, Perel stated that whether flawed or not, many