

rebutting the presumption of death either by presenting evidence that the missing individual is still alive or by providing an explanation to account for the individual's absence in a manner consistent with continued life rather than death.

On April 17, 1995, we published our final regulation (60 FR 19163), revising section 404.721(b) of Social Security Regulations No. 4 (20 CFR 404.721(b)), to provide that the presumption of death arises when a claimant establishes that an individual has been absent from his or her residence and not heard from for seven years. Once the presumption arises, the burden then shifts to SSA to rebut the presumption either by presenting evidence that the missing individual is still alive or by providing an explanation to account for the individual's absence in a manner consistent with continued life rather than death.

Because the change in the regulation adopts the holdings of the Third, Fifth, Sixth, Eighth, Ninth, Tenth and Eleventh Circuits on a nationwide basis, we are rescinding Acquiescence Rulings 86-6(3), 86-7(5), 86-8(6), 86-9(9), 86-10(10), 86-11(11) and 93-6(8).

(Catalog of Federal Domestic Assistance Programs Nos. 96.001 Social Security - Disability Insurance; 96.002 Social Security - Retirement Insurance; 96.004 Social Security - Survivors Insurance.)

Dated: July 5, 1995.

**Shirley S. Chater,**

*Commissioner of Social Security.*

[FR Doc. 95-17306 Filed 7-13-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for a Waiver of Compliance

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of the Federal safety laws and regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

Security programs under title II of the Act. Prior to March 31, 1995, the Secretary of Health and Human Services had such responsibility.

### Union Pacific Railroad (UP)

#### Docket Number LI-95-15

The UP is seeking a waiver of compliance from certain sections of the Railroad Locomotive Safety Standards, 49 CFR Part 229. The UP request is for a temporary waiver of the reporting requirements of § 229.21(a), Daily Inspection, which requires that each locomotive in use must be inspected at least once during each calendar day. A written report of the inspection shall be made. The report shall contain the name of the carrier, the initial and number of the locomotive, the place, date and time of the inspection, a description of the noncomplying condition disclosed by the inspection, and the signature of the employee making the inspection. Any conditions that constitute noncompliance with any requirements with Part 229 shall be repaired before the locomotive is used and the person making the repairs shall sign the report. The report shall be filed and retained for at least 92 days in the office of the carrier at the terminal at which the locomotive is cared for.

The waiver would be for a six month period on a limited portion of the UP railroad to permit relief from the requirements that reports of the locomotive daily inspections be in (1) paper form (UPRR Form 25005), (2) signed by the person performing the inspections and (3) signed by the person performing the repairs when applicable. The UP proposes to enter and store the reports in a computerized system utilizing electronic signatures. The project would be on the UP railroad in the States of Oregon (OR) and Washington (WA) bound by Hinkle, OR, Spokane, WA, Albina (Portland), OR, and Seattle, WA.

The locomotive inspection reports would be entered into a computer by the personnel involved in the inspections and repairs using an electronic signature. Each employee subject to making entries into this electronic system would be required to LOGON in the computer with a unique User ID and Password known only to that employee. The UP states that the computer program would record the User ID and name of the employee for future reference should it be needed. Also, another advantage of this process is that the daily inspection records would be stored in the computer for the 92-day period required by the regulation. The computer stored records could be readily recalled at any location on the UP for inspection by FRA personnel. A joint UP and Brotherhood of Locomotive Engineers task force developed the computer based system for logging the

reports through the use of a series of input screens that are part of a computerized tieup process called =TE. The UP states that the computer based reporting of the daily inspection would have no adverse affect upon the safety of train operations.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number LI-95-15) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

Issued in Washington, DC on July 11, 1995.

**Phil Olekszyk,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

[FR Doc. 95-17371 Filed 7-13-95; 8:45 am]

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### National Highway Traffic Safety Administration

[Docket No. 95-53; Notice 1]

#### Cantab Motors, Ltd.; Receipt of Application for Temporary Exemption From Federal Motor Vehicle Safety Standards No. 208 and 214

Cantab Motors, Ltd., of Round Hill, VA, has applied for a temporary exemption of two years from paragraph S4.1.4 of Federal Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection*, and from Federal Motor Vehicle Safety Standard No. 214 *Side Impact Protection*. The basis of the application is that compliance will cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith.

This notice of receipt of an application is published in accordance with the requirements of 49 U.S.C. 30113(b)(2) and does not represent any judgment of the agency on the merits of the application.

The make and type of passenger car for which exemption is requested is the Morgan open car or convertible. Morgan Motor Company ("Morgan"), the British manufacturer of the Morgan, has not offered its vehicle for sale in the United States since the early days of the Federal motor vehicle safety standards. In the nine years it has been in business, the applicant has bought 35 incomplete Morgan cars from the British manufacturer, and imported them as motor vehicle equipment, completing manufacture by the addition of engine and fuel system components. They differ from their British counterparts, not only in equipment items and modifications necessary for compliance with the Federal motor vehicle safety standards, but also in their fuel system components and engines, which are propane fueled. As the party completing manufacture of the vehicle, Cantab certifies its conformance to all applicable Federal safety and bumper standards. The vehicle completed by Cantab in the U.S. is deemed sufficiently different from the one produced in Britain that NHTSA considers Cantab the manufacturer, not a converter, even though the brand names are the same.

Morgan itself produced 478 cars in 1994, while in the year preceding the filing of its petition in June 1995, the applicant produced 9 cars for sale in the United States. Since the granting of its exemption in 1990, Cantab has invested \$38,244 in research and development related to compliance with Federal safety and emissions standards. The applicant has experienced a net loss in each of its last three fiscal (calendar) years, with a cumulative net loss for this period of \$92,594.

#### **Application for Exemption From Standard No. 208**

Cantab received NHTSA Exemption No. 90-3 from S4.1.2.1 and S4.1.2.2 of Standard No. 208, which expired May 1, 1993 (55 FR 21141). When this exemption was granted in 1990, the applicant had concluded that the most feasible way for it to conform to the automatic restraint requirements of Standard No. 208 was by means of an automatically deploying belt. In the period following the granting of the exemption, Morgan and the applicant created a mock-up of the Morgan passenger compartment with seat belt hardware and motor drive assemblies.

In time, it was determined that the belt track was likely to deform, making it inoperable. The program was abandoned, and Morgan and Cantab embarked upon research leading to a dual airbag system.

According to the applicant, Morgan tried without success to obtain a suitable airbag system from Mazda, Jaguar, Rolls-Royce and Lotus. As a result, Morgan is now developing its own system for its cars, and "[a]s many as twelve different sensors, of both the impact and deceleration (sic) type, have been tested and the system currently utilizes a steering wheel from a Jaguar and the Land Rover Discovery steering column." Redesign of the passenger compartment is underway, involving knee bolstering, a supplementary seat belt system, anti-submarining devices, and the seats themselves. Morgan informed the applicant on May 2, 1995, that it had thus far completed 10 tests on the mechanical components involved "and are now carrying out a detailed assessment of air bag operating systems and columns before we will be in a position to undertake the full set of appropriate tests to approve the installation in our vehicles."

#### **Application for Exemption from Standard No. 214**

Concurrently, Morgan and the applicant have been working towards meeting the dynamic test and performance requirements for side impact protection, for which Standard No. 214 has established a phase-in schedule. Although Morgan fits its car with a dual roll bar system specified by Cantab, and Cantab installs door bars and strengthens the door latch receptacle and striker plate, the system does not yet conform to the new requirements of Standard No. 214. It does, however, meet the previous side door strength requirements of the standard. Were the phase-in requirement of S8 applied to it, calculated on the basis of its limited production, only very few cars would be required to meet the standard.

#### **Safety and Public Interest Arguments**

Because of the small number of vehicles that the applicant produces and its belief that they are used for pleasure rather than daily for business commuting or on long trips, and because of the three-point restraints and side impact protection currently offered, the applicant argues that an exemption would be in the public interest and consistent with safety. It brings to the agency's attention two recent oblique front impact accidents at estimated speeds of 30 mph and 65 mph

respectively in which the restrained occupants "emerged unscathed."

Further, the availability "of this unique vehicle \* \* \* will help maintain the existing diversity of motor vehicles available to the U.S. consumer." Finally, "the distribution of [this] propane-fueled vehicle has contributed to the national interest by promoting the development of motor systems by using alternate fuels."

Interested persons are invited to submit comments on the application described above. Comments should refer to the docket number and the notice number, and be submitted to: Docket Section, National Highway Traffic Safety Administration, room 5109, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below 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 application will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: August 14, 1995.

(49 U.S.C. 30113; delegations of authority at 49 CFR 1.50. and 501.8)

Issued on July 10, 1995.

**Barry Felrice,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 95-17297 Filed 7-13-95; 8:45 am]

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## **DEPARTMENT OF THE TREASURY**

### **Public Information Collection Requirements Submitted to OMB for Review**

July 6, 1995.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.