

Dated: July 24, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

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46 CFR Part 160

[CGD 94-110]

RIN 2115-AE96

Recreational Inflatable Personal Flotation Device Standards

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting; request for comments.

SUMMARY: The Coast Guard published an interim rule (IR) on Recreational Inflatable Personal Flotation Device (PFD) Standards on June 23, 1995, which introduced a new concept for approval of PFDs, the "Life-Saving Index" (LSI). Comments on the IR indicate that there is some confusion and uncertainty about use of the LSI. The Coast Guard will conduct a public meeting to discuss the use of the LSI in the approval of inflatable PFDs. This meeting is intended for PFD and inflation system manufacturers and technical experts knowledgeable in the field as well as other interested parties. **DATES:** The meeting will be held August 28, 1995, from 9 a.m. to 4 p.m. Notice of interest in participation should be made by August 23, 1995 to ensure adequate space is available. Written material must be received not later than October 23, 1995.

ADDRESSES: The meeting will be held at U.S. Coast Guard Headquarters, Room 2415, 2100 Second Street, SW, Washington, DC 20593-0001. Persons having an interest in participating in the meeting, should notify the Coast Guard by contacting Mr. Samuel Wehr, Office of Marine Safety, Security and Environmental Protection, Attn: G-MVI-3/14, 2100 Second Street, SW, Washington, DC 20593-0001, telephone (202) 267-1444 between the hours of 8 a.m. and 4 p.m. Monday through Friday except Federal holidays, or facsimile (202) 267-1069.

Written comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA) (CGD 94-110), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477. Comments will

become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Mr. Samuel E. Wehr, Office of Marine Safety, Security and Environmental Protection, Attn: G-MVI-3/14, 2100 Second Street, SW, Washington, DC 20593-0001, telephone (202) 267-1444 between the hours of 8 a.m. and 4 p.m. Monday through Friday except Federal holidays, or facsimile (202) 267-1069.

SUPPLEMENTARY INFORMATION: The Coast Guard has received comments indicating that the "Life-Saving Index" (LSI) provisions of the Recreation Inflatable Personal Flotation Device Standards IR published in the **Federal Register** on June 23, 1995 (60 FR 32836) are confusing and have caused uncertainty for manufacturers.

Appendix A to the Draft Regulatory Evaluation, which is on file as part of the docket where indicated under **ADDRESSES** and was sent to manufacturers, provides a great deal of guidance on how to apply the LSI provisions in the approval process. However, to facilitate the use of this method for approval so that as wide a variety as possible of inflatable PFDs can be approved, the Coast Guard is holding this meeting.

The agenda for the August 28, 1995 meeting will include the following topics:

(1) Overview of Appendix A to the Draft Regulatory Evaluation.

(2) Response to questions on the information in Appendix A to the Draft Regulatory Evaluation.

(3) Sample calculations of LSIs for representative PFD designs.

(4) Discussion of methods to standardize the LSI model.

(5) Discussion of potential methods to demonstrate increased wearability values for inflatable PFDs.

(6) Coast Guard policy on annual review and revision of the minimum LSI value required for approval and impact on existing approvals issued under the LSI.

(7) Discussion of PFD information pamphlet requirements and standardization.

Attendance is open to the public, but notice of intent to attend the meeting is requested in order that adequate space and audio/visual aids can be provided. In order to determine what accommodations need to be arranged, persons wishing to attend the meeting should notify Mr. Samuel Wehr at the number listed under **FOR FURTHER**

INFORMATION CONTACT by August 23, 1995.

Participants are reminded that discussion of issues outside the above agenda may be limited by the Coast Guard.

With advance notice and as time permits, members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations should make notification no later than 4 p.m. Thursday, August 24, 1995. Individuals making oral presentations at the meeting are encouraged to submit a written copy of their remarks for the rulemaking docket.

Interested persons are also invited to participate by providing written comments as requested in response to the IR cited above.

If as an outgrowth of this meeting, a standard is developed for the LSI Model, which provides a suitable basis for the evaluation of inflatable PFDs under 46 CFR 160.076-27, notice of proposed rulemaking (NPRM) or supplemental NPRM (SNPRM) in which the Coast Guard discusses and proposes adoption of all or part of it, will be published in the **Federal Register**.

Dated: July 27, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[DA95-1524]

Anti-Drug Abuse Act of 1988

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order will amend the Commission's Rules to reflect the correct citation to the Anti-Drug Abuse Act of 1988. The Commission amended its rules to be in compliance with the Anti-Drug Abuse Act of 1988. The purpose of this Order is to provide guidance to the public and avoid any potential uncertainty.

EFFECTIVE DATE: August 2, 1995.

FOR FURTHER INFORMATION CONTACT:

Wendy A. Whitley, Office of General Counsel, (202) 418-1720.

SUPPLEMENTARY INFORMATION:

Order

Adopted: July 7, 1995; Released: July 10, 1995

In the Matter of: Amendment of Sections 1.2001 and 1.2002 of the Commission's Rules.

By the Managing director:

1. By this Order, we amend Sections 1.2001 and 1.2002 of the Commission's Rules, 47 CFR 1.2001 and 1.2002 to reflect the correct citation to the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862. The citation to this act was changed subsequent to the time our rules were written.

2. Accordingly, pursuant to Section 0.231(b) of the Commission's rules 47 CFR 0.231(b), It is ordered that Sections 1.2001 and 1.2002 of the Commission's Rules, 47 CFR 1.2001, 1.2002 are amended as set forth below effective upon publication in the **Federal Register**.

Federal Communications Commission
Andrew S. Fishel,
Managing Director.

Rule Changes

PART 1—PRACTICE AND PROCEDURE

Part 1 of chapter I of title 47 of the Code of Federal Regulations is amended as follows:

1. The authority citation for part 1 continues to read:

Authority: 47 U.S.C. 151, 154, 303, and 309(j) unless otherwise noted.

2. Section 1.2001 is revised to read as follows:

§ 1.2001 Purpose.

To determine eligibility for professional and/or commercial licenses issued by the Commission with respect to any denials of Federal benefits imposed by Federal and/or state courts under authority granted in 21 U.S.C. 862.

3. Section 1.2002 is amended by revising paragraph (a) to read as follows:

§ 1.2002 Applicants required to submit information.

(a) In order to be eligible for any new, modified, and/or renewed instrument of authorization from the Commission, including but not limited to, authorizations issued pursuant to sections 214, 301, 302, 303(1), 308, 310(d), 318, 319, 325(b), 351, 361(b), 362(b), 381, and 385 of the Communications Act of 1934, as amended, by whatever name that instrument may be designated, all applicants shall certify that neither the

applicant nor any party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862. If a section 5301 certification has been incorporated into the FCC application form being filed, the applicant need not submit a separate certification. If a section 5301 certification has not been incorporated into the FCC application form being filed, the applicant shall be deemed to have certified by signing the application, unless an exhibit is included stating that the signature does not constitute such a certification and explaining why the applicant is unable to certify. If no FCC application form is involved, the applicant must attach a certification to its written application. If the applicant is unable to so certify, the applicant shall be ineligible for the authorization for which it applied, and will have 90 days from the filing of the application to comply with this rule. If a section 5301 certification has been incorporated into the FCC application form, failure to respond to the question concerning certification shall result in dismissal of the application pursuant to the relevant processing rules.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 575

[Docket No. 95-19; Notice 2]

RIN 2127-AF-64

Consumer Information Regulations; Fees for Course Monitoring Tires and for Use of Traction Skid Pads

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

ACTION: Final rule.

SUMMARY: This rule amends NHTSA's consumer information regulations on uniform tire quality grading by establishing fees for the purchase of treadwear course monitoring tires and for the use of the traction skid pads at NHTSA's Uniform Tire Quality Grading Test Facility in San Angelo, Texas.

DATES: The amendment established by this final rule will become effective on September 1, 1995.

Any petitions for reconsideration must be received by NHTSA not later than September 1, 1995.

ADDRESSES: Any petitions for reconsideration should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. Clive Van Orden, Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. (202-366-2830).

SUPPLEMENTARY INFORMATION: This rule was preceded by a notice of proposed rulemaking (NPRM) that NHTSA published on March 24, 1995 (60 FR 15529). The NPRM noted that under uniform tire quality grading (UTQG) standards at 49 CFR 575.104, tires must be labelled with information indicating their relative performance in the areas of treadwear, traction, and temperature resistance. For the purpose of evaluating treadwear performance, NHTSA established a 400 mile roadway course near San Angelo, Texas, which is designed to produce treadwear rates that are generally representative of those encountered by tires in public use. Under the UTQG standards, the projected mileage obtained for tested tires must be corrected to account for environmental and other variations that occur during testing on the course. This is done by comparing the performance of the tested tires to that of course monitoring tires run in the same convoy. The course monitoring tires are specially manufactured under controlled conditions so that they can be used as a grading standard, and are made available by NHTSA for purchase at the San Angelo test facility.

The NPRM noted that the UTQG standards also require that tire traction be evaluated on skid pads that have specified locked-wheel traction coefficients. Two of these traction skid pads have been constructed at NHTSA's facility in San Angelo, as well as at several commercial facilities that may also be used by tire manufacturers.

The NPRM stated that an audit conducted by the Department of Transportation's Office of Inspector General (OIG) concluded that NHTSA was not recovering the full cost of the course monitoring tires that it sells at San Angelo and was not charging a user fee for the use of the traction skid pads at that facility, contrary to the requirements of Office of Management