

of between 750 kW [1000 hp] and 3,000 kW [4000 hp].

Likewise, in revising domestic regulations, the Coast Guard should consider applying the standards of competence set out in tables in the 1995 Amendments to STCW, by incorporating those tables by reference into the appropriate sections of the revised regulations.

The above subjects will be open for discussion and comment at the meeting on August 31. Any comments received at the meeting or in response to this notice will be taken into account in the development of implementing regulations.

Attendance at the meeting is open to the public. Members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations should notify the person listed above under **FOR FURTHER INFORMATION CONTACT** no later than the day before the meeting. Written material may be submitted before, during, or after the meeting.

Dated: July 27, 1995.

J.C. Card,

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

[FR Doc. 95-19006 Filed 8-1-95; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-124, RM-8573]

Radio Broadcasting Services; Atlantic, IA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Wireless Communications Corp. seeking the allotment of Channel 239C3 to Atlantic, IA, as the community's first local FM transmission service. Channel 239C3 can be allotted to Atlantic in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 41-24-00 North Latitude and 95-00-54 West Longitude.

DATES: Comments must be filed on or before September 18, 1995, and reply comments on or before October 3, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the

FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Barry A. Friedman, Esq., Semmes, Bowen & Semmes, Suite 900, 1025 Connecticut Avenue, NW., Washington, DC 20036 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-124, adopted July 20, 1995, and released July 28, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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, International Transcription Services, 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.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-18950 Filed 8-1-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

RIN 2127-AF49

Federal Motor Vehicle Safety Standards; Termination of Rulemaking

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Termination of rulemaking.

SUMMARY: This notice terminates rulemaking in response to a petition filed by Karen Slay, asking that NHTSA require manufacturers of pickup trucks to place some kind of warning or recommendation on the cargo beds and in the owner's manual "stating the dangers of passengers riding in the cargo area of these vehicles." Pickup manufacturers have agreed to include in their owners' manuals clear and specific warnings about the dangers of riding in cargo areas of vehicles and to join with the agency, vehicle dealers, and other interested organizations in a broad-based effort to educate the public about the dangers associated with riding in the cargo areas of vehicles. In these circumstances, NHTSA has concluded that no regulatory action is needed at this time.

FOR FURTHER INFORMATION CONTACT: Stephen Kratzke, Office of Vehicle Safety Standards, NHTSA (NPS-10), 400 Seventh Street, S.W., Washington, DC 20590. Mr. Kratzke can be reached by telephone at (202) 366-5203 or FAX at (202) 366-4329.

SUPPLEMENTARY INFORMATION: Karen Slay, a Lubbock, Texas housewife and mother of four, filed with NHTSA a petition for rulemaking dated October 13, 1994. In this petition, Ms. Slay requested that NHTSA require manufacturers of pickup trucks to place some kind of warning or recommendation on the cargo beds and in the owner's manual "stating the dangers of passengers riding in the cargo area of these vehicles." Ms. Slay referred to a July 3, 1994 crash in Scurry County, Texas, in which eight children were killed and four others seriously injured. These 12 children were riding in the cargo bed of the pickup and all were ejected upon impact.

Ms. Slay indicated her understanding that State, not Federal, laws and regulations address how vehicles may be operated on the public roads. She stated that she has begun a "campaign or crusade" to get the law in her home State of Texas changed as it relates to persons riding in the cargo bed of pickups, "so that Texas children do not lose their lives as innocent victims." However, Ms. Slay believed that a Federal requirement for a warning label and information in the owner's manual would serve a useful purpose by alerting persons to the hazards of riding in the cargo bed. In addition, Ms. Slay indicated her belief that not one pickup designer ever intended for the cargo area to be used for passengers.

NHTSA began its consideration of this request by determining the size of the safety problem. From 1983 to 1993,

there were about 210 fatalities to occupants of pickup cargo beds each year. The number of deaths each year shows remarkably little variation, beginning with 213 fatalities in 1983 and concluding with 211 fatalities in 1993. While the total size of the problem of injuries and fatalities to cargo bed occupants is small in the context of overall traffic safety (about one-half of one percent of annual motor vehicle fatalities), the relative constancy of the number over this decade suggests that it has not been much affected by the many safety improvements made to pickups during that decade, nor has it been much affected by the changes in personal behavior by vehicle occupants during that decade, such as significant increases in safety belt use by occupants and significant decreases in drunk and drugged driving. This suggests it may be appropriate for NHTSA to try a new approach specifically targeted to reduce injuries and deaths to passengers in cargo beds. NHTSA granted Ms. Slay's petition on January 25, 1995, to allow for a full and careful consideration of the issues raised.

However, the grant of the petition did not mean the agency endorsed Ms. Slay's suggested solution to the problem. The fatality data show that most of the fatalities in pickup cargo beds are teenagers or young adults aged 20-29. People in these age groups have traditionally been among the least receptive to safety warnings on labels. This information raises doubts about the effectiveness of a warning label as a solution to this problem.

Given all of this information, NHTSA sought a creative alternative to address this safety risk outside of the traditional regulatory process. NHTSA began by sending a letter to each of the pickup manufacturers asking for their reaction to Karen Slay's petition and her suggested solution to the problem. Although the manufacturers did not agree with labeling their trucks, they did agree with Ms. Slay that something ought to be done. All of the pickup manufacturers agreed to voluntarily include clear language in each pickup owner's manual warning against riding in beds. Chrysler, Ford, and General Motors, whose vehicles collectively comprise more than 86 percent of annual pickup sales in the U.S., went a step further. These three manufacturers agreed to provide a simple and uniform warning about the hazards of riding in cargo areas in the owner's manuals for each of their vehicles starting no later than the 1997 model year. All of the pickup manufacturers also committed to join in a broad-based effort to raise the public's awareness of this safety

concern, including joining in promoting the adoption and enforcement of State laws restricting people from riding in pickup cargo beds and joining in a public education campaign on this subject.

Having this understanding with the pickup manufacturers was encouraging, but NHTSA believed it needed to involve more potential partners in this effort if it was to be successful. Accordingly, the agency contacted the National Automobile Dealers Association to see if they would join in the effort to address this problem. The dealers' organization agreed. Also, the National PTA had written a letter to NHTSA in support of Karen Slay's petition. NHTSA contacted the National PTA to see if it would agree to participate in an information campaign on the hazards of riding in cargo beds, and the National PTA agreed to do so.

NHTSA held a news conference on May 25, 1995 to announce this new cooperative effort to reduce injuries and deaths in pickup truck cargo beds. This cooperative effort will rely on the slogan "Kids Aren't Cargo" to raise the public's awareness about this safety risk. NHTSA has followed this up by including some "Kids Aren't Cargo" materials in the Campaign Safe and Sober materials made available to all of the States and by contacting national organizations other than the National PTA to see if they are interested in joining this effort.

Since manufacturers and others have already voluntarily committed to join in a broad-based effort to reduce the injuries and deaths to occupants of cargo beds, there is no reason to proceed with consideration of a regulatory requirement to achieve that same goal. Accordingly, the rulemaking action associated with the January 25, 1995 grant of Karen Slay's petition for rulemaking is hereby terminated.

This termination should not be misinterpreted. If at some point in the future it becomes clear that the "Kids Aren't Cargo" campaign has not achieved its purpose, the agency will evaluate all of its options to reduce injuries and deaths to occupants in cargo areas, including possible regulatory requirements. At this time, however, the agency believes the "Kids Aren't Cargo" campaign represents an approach that is more likely to address effectively this safety risk than a regulatory approach would be. Therefore, rulemaking action on the Slay petition is terminated.

The agency would like to close by expressing its appreciation to Ms. Slay for her petition and her work in this area. It is rare that an individual citizen with no previous involvement in the

area of highway safety or dealing with State and Federal government can get a bill introduced in the State legislature and pass one of the two houses easily on its first hearing, and move the Federal government to put together a coalition of parties to try to address the issue on a National level. These accomplishments can be traced to a single citizen working out of her house with no funding, no list of members for whom she purported to speak—nothing more than her dedication to this issue and her ability to present clear, reasonable, and articulate arguments for why some action was necessary.

Issued on July 27, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AD35

Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for *Arctostaphylos Pallida* (Pallid Manzanita), a Plant From the Northern Diablo Range of California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to list *Arctostaphylos pallida* (pallid manzanita) as a threatened species, pursuant to the Endangered Species Act of 1973, as amended (Act). This plant species is found only in the northern Diablo Range of California in Alameda and Contra Costa Counties. The species is threatened by shading and competition from native and non-native plants, fire suppression, habitat fragmentation, hybridization, disease, herbicide spraying, unauthorized tree cutting, inadequate regulatory mechanisms, and stochastic events by virtue of the small isolated nature of the remaining populations. This proposal, if made final, would extend Federal protection and recovery provisions afforded by the Act for this species.

DATES: Comments from all interested parties must be received by October 9, 1995. Public hearing requests must be received by September 25, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent