

into applying the service brakes when there is no need to do so.

In consideration of the foregoing, it is hereby found that the applicant has met its burden of persuasion that the noncompliance herein described is inconsequential to safety. Accordingly, the applicant is hereby exempted from its obligations to provide notice of the noncompliance as required by 49 U.S.C. 30118, and to remedy the noncompliance as required by 49 U.S.C. 30120.

49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8).

Issued on: January 23, 1996.

Barry Felrice,

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 96-1505 Filed 1-26-96; 8:45 am]

BILLING CODE 4910-59-P

**[Docket No. 93-37, Notice 4]**

**Panoz Auto Development Co.; Grant of Application for Renewal of Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208**

Panoz Auto Development Company of Hoschton, Ga., applied for a renewal of its exemption from paragraph S4.1.4 of Federal Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection*. The basis of the application was that compliance will cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith.

Notice of receipt of the application was published on October 13, 1995, and an opportunity afforded for comment (60 FR 53454). This notice grants the renewal.

Panoz received NHTSA Exemption No. 93-5 from S4.1.4 of Standard No. 208, which was scheduled to expire August 1, 1995 (58 FR 43007). However, its application for renewal was filed on May 26, 1995, which was more than 60 days before the scheduled expiration date of its exemption. In accordance with 49 CFR 555.8(e), Panoz' filing of its application before the 60th day stays the expiration until the Administrator grants or denies the application for renewal.

Panoz's original exemption was granted pursuant to the representation that its Roadster would be equipped with a Ford-supplied driver and passenger airbag system, and would comply with Standard No. 208 by April 5, 1995, after estimated expenditures of \$472,000. As of April 1993, the company had expended 750 man hours and \$15,000 on the project.

According to its application for renewal:

Panoz has continued the process of researching and developing the installation of a driver and passenger side airbag system on the Roadster since the original exemption petition was submitted to NHTSA on April 5, 1993. To date, an estimated 1680 man-hours and approximately \$50,400 have been spent on this project.

Panoz uses a 5.0L Ford Mustang GT engine and five speed manual transmission in its car. Because "the 1995 model year and associated emission components were revised by Ford", this caused

a delay in the implementation of the airbag system on the Roadster due to further research and development time requirements and expenditure of additional monies to evaluate the effects of these changes on the airbag adaptation program.

In addition, the applicant learned that Ford will be replacing the 5.0L engine and emission control system on the 1996 Mustang and other passenger cars with a modular 4.6L engine and associated emission components. The 1995 system does not meet 1996 On-Board Diagnostic emission control requirements, and Panoz will have to use the 1996 engine and emission control system in its cars. The majority of the money and man hours to date have been spent on adapting an airbag system to the 5.0L engine car, and the applicant is now concentrating on adapting it to a 4.6L engine car. Panoz listed eight types of modifications and testing necessary for compliance that would cost it \$337,000 if compliance were required at the end of a one-year period. It has asked for a two-year renewal of its exemption.

Panoz sold 13 cars in 1993 and 13 more in 1994. It did not state its sales to date in 1995. At the time of its original petition, its cumulative net losses since incorporation in 1989 were \$1,265,176. It lost an additional \$249,478 in 1993 and \$169,713 in 1994.

The applicant reiterated its original arguments that an exemption would be in the public interest and consistent with the objectives of traffic safety. Specifically, the Roadster is built in the United States and uses 100 percent U.S. components, bought from Ford and approximately 75 other companies. It provides full time employment for 7 persons, and "at least 200 employees from over 80 different companies remain involved in the Panoz project." The Roadster is said to "provide the public with a classic alternative to current production vehicles." It is the only vehicle that incorporates "molded aluminum body panels for the entire

car", a process which is being evaluated by other manufacturers and which "results in the reduction of overall vehicle weight, improved fuel efficiency, and increased body strength." With the exception of S4.1.4 of Standard No. 208, the Roadster meets all other Federal motor vehicle safety standards including the 1997 side impact provisions of Standard No. 214.

No comments were received on the application.

Since its incorporation in 1989, the applicant's cumulative net loss exceeds \$1,600,000. Its estimated cost of \$337,000 for immediate conformance is a convincing hardship argument. In addition, the on-going compliance efforts of the company with respect to two Ford engine configurations indicate that the company continues to make a good faith effort to comply with Standard No. 208. This American-made vehicle is represented as meeting all remaining Federal motor vehicle safety standards, and will comply with new side intrusion requirements in advance of its effective date. A renewal of the exemption is merited.

In consideration of the foregoing, it is hereby found that to require immediate compliance with Standard No. 208 would cause substantial economic hardship to a manufacturer that has in good faith attempted to meet the standard, and that an exemption would be in the public interest and consistent with the objectives of traffic safety.

Accordingly, NHTSA Exemption No. 93-5 from paragraph S4.1.4 of 49 CFR 571.208 Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection* is hereby extended to expire November 1, 1997.

(49 U.S.C. 30113; delegation of authority at 49 CFR 1.50.)

Issued on January 23, 1996.

Ricardo Martinez,  
*Administrator.*

[FR Doc. 96-1504 Filed 1-26-96; 8:45 am]

BILLING CODE 4910-59-P

**Surface Transportation Board**

**[STB Ex Parte No. 526]**

**Notice of Establishment of Railroad-Shipper Transportation Advisory Council and Request for Recommendation of Candidates for Membership**

**AGENCY:** Surface Transportation Board.

**ACTION:** Request For Recommendation of Candidates For Membership on Railroad-Shipper Transportation Advisory Council.

**SUMMARY:** As provided by section 726 of the ICC Termination Act of 1995, Public Law 104-88, 109 Stat. 803, the Railroad-Shipper Transportation Advisory Council (Council) is established to advise the Chairman of the Surface Transportation Board (Board), the Secretary of Transportation, and Congressional oversight committees with respect to rail transportation policy issues of particular importance to small shippers and small railroads. To fulfill the duty of the Chairman of the Board to appoint Council members, this notice requests recommendations for membership on the Council from rail carriers and rail shippers.

**DATES:** Recommendations for Council members are due on February 13, 1996.

**ADDRESSES:** Send recommendations and supporting information (an original plus 3 copies) referring to STB Ex Parte No. 526, Railroad-Shipper Transportation Advisory Council to: Vernon A. Williams, Secretary, Surface Transportation Board, Room 1324, 1201 Constitution Avenue, NW, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Richard S. Fitzsimmons, (202) 927-6050. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** The Railroad-Shipper Transportation Advisory Council was established upon the enactment of the ICC Termination Act of 1995 (the Act), on December 29, 1995, to advise the Board's Chairman, the Secretary of Transportation, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues the Council considers significant. The Council will focus on issues of importance to small shippers and small railroads, including car supply, rates, competition, and procedures for addressing claims. The Act directs the Council to develop private-sector mechanisms to prevent, or identify and address, obstacles to the most effective and efficient transportation system practicable.

The Secretary of Transportation and the Chairman of the Board will cooperate with the Council in providing research, technical, and other reasonable support. To the extent the Council addresses specific grain car issues, it will coordinate its activities with the National Grain Car Council. The Council must also prepare an

annual report concerning its activities and recommendations on whatever regulatory or legislative relief it considers appropriate. The Council is not subject to the Federal Advisory Committee Act.

Suggestions for candidates for membership on the Council and supporting information must be submitted to the Board by February 13, 1996. Suggestions for members of the Council should be submitted in letter form, identifying the name of the candidate and including evidence of the interests the candidate will represent. Council members must be citizens of the United States and represent as broadly as practicable the various segments of the railroad and rail shipper industries. They may not be full-time employees of the United States. The Council will consist of 19 members. Of this number, 15 members will be appointed by the Chairman of the Board, and the remaining four members will be comprised of the Secretary of Transportation and the Members of the Board, who will serve as ex officio, nonvoting members of the Council. Of the 15 members to be appointed, nine members will be the voting members of the Council and be appointed from senior executive officers of organizations engaged in the railroad and rail shipping industries. At least four of the voting members must be representatives of small shippers as determined by the Chairman, and at least four of the voting members must be representatives of Class II or III railroads. The remaining six Council members to be appointed—three representing Class I railroads and three representing large shipper organizations—will serve in a nonvoting advisory capacity, but will be entitled to participate in Council deliberations.

The members of the Council will be appointed for a term of 3 years, except that of the members first appointed, five members will be appointed for terms of 1 year, and five members will be appointed for terms of 2 years, as designated by the Chairman at the time of appointment. A member may serve after the expiration of his or her term until a successor has taken office. No member will be eligible to serve in excess of two consecutive terms.

The Council will meet at least semi-annually and hold other meetings at the call of the Council Chairman. Federal facilities, where available, may be used for such meetings. The members of the Council shall receive no compensation

for their services and, with regard to the availability of funding from the Board for support, the members will be required to provide for the expenses incidental to their service, including travel expenses, as the Board has limited appropriations and cannot at this time provide for these expenses. The Council Chairman, however, may request funding from the Department of Transportation to cover travel expenses, subject to certain restrictions in the Act. The Council also may solicit and use private funding for its activities, again subject to certain restrictions in the Act.

*Decided:* January 23, 1996.

By the Board, Linda J. Morgan, Chairman.  
Vernon A. Williams,  
Secretary.

[FR Doc. 96-1537 Filed 1-26-96; 8:45 am]

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## UNITED STATES INFORMATION AGENCY

### Culturally Significant Objects Imported For Exhibition; Determination

Notice is hereby given of the following determination: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), and Delegation Order No. 85-5 of June 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the objects to be included in the exhibit, "Enamels of Limoges" (See list),<sup>1</sup> imported for abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the temporary exhibition or display of the listed exhibit objects at the Metropolitan Museum of Art, New York, NY, on or about March 4, 1996 through June 16, 1996, is in the national interest. Public Notice of this determination is ordered to be published the Federal Register.

Dated: January 19, 1996

Les Jin,

*General Counsel.*

[FR Doc. 96-1562 Filed 1-26-96; 8:45 am]

BILLING CODE 8230-01-M

<sup>1</sup> A copy of this list may be obtained by contracting Mrs. Carol B. Epstein, Assistant General Counsel, at 619-6981, and the address is Room 700, U.S. Information Agency, 301 Fourth Street, S.W., Washington, D.C. 20547-0001.