between delta-V and injury criteria reduction for the specific system.

7. Could the dynamic systems cause increases in neck injuries? If so, what data are available to quantify this impact? What criteria can be used to determine whether lateral neck motion is increasing or causing injury?

8. Some advanced technologies appear to offer potential reductions in the likelihood of ejection. What would the effectiveness of dynamic systems be in reducing ejection in side or other impact modes or in a subsequent collision?

9. The dynamic systems known to NHTSA will deploy and protect the near-side occupant in a side impact. Will the dynamic system for the far-side occupant deploy in a side impact or in rollovers to protect against possible rebound effects or subsequent collision?

10. Do MY 1996 vehicles meet 12 mph test requirements? Do any MY 1996 vehicles meet 15 mph test requirements?

11. Should an impact speed higher than 15 mph be used in FMH testing of the system in order to compensate for the loss in benefits because the system does not deploy in rollover and frontal crashes? If so, is 20 mph an appropriate impact speed?

12. Are there existing accident data analyses concerning head injuries as a function of crash modes and target components?

Miscellaneous Questions

To allow NHTSA to become better acquainted with the dynamic systems under development, the agency requests answers to the following questions:

13. Are dynamic systems compatible with the B-pillar mounted shoulder anchorage point? Are integrated restraint seats (IRS), which have shoulder belt anchorages attached to the upper backseat, more compatible with the dynamic systems?

14. How much would the dynamic systems add to the price and weight of the vehicle?

15. What are the performance criteria for the sensor system designs? What is the time interval necessary for full deployment of the dynamic system?

16. If changes were made to the August 18 final rule, what is the anticipated time frame for introduction of dynamic systems? Are any dynamic systems being introduced prior to the requirements of the August 18 final rule?

17. Will the systems be introduced as optional or standard equipment?

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

This rulemaking document was reviewed under E.O. 12866, ''Regulatory Planning and Review.'' Further, this action has been determined to be ''significant'' under the Department of Transportation's regulatory policies and procedures because of anticipated public interest. Any anticipated rulemaking resulting from this notice would provide manufacturers with an alternative to the requirements in the August 18 final rule. A decision by a manufacturer to avail itself of the alternative would entail use of technology (i.e., dynamic systems) that may well be more costly than the padding which could be used to comply with the final rule. The agency solicits information from the manufacturers concerning those cost of those dynamic systems.

Executive Order 12612 (Federalism)

NHTSA has analyzed this notice in accordance with the principles and criteria contained in E.O. 12612, and has determined that it does not have significant federalism implications to warrant the preparation of a Federalism Assessment.

Submission of Comments

Interested persons are invited to submit comments. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CAR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above 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. Comments will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

(Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50)

Issued on March 1, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96–5292 Filed 3–6–96; 8:45 am]

BILLING CODE 4910–59–P

Surface Transportation Board

49 CFR Parts 1201 and 1262

[Ex Parte No. 512]

Uniform System of Records of Property Changes for Railroad Companies

AGENCY: Surface Transportation Board, DOT.

ACTION: Proposed rule, withdrawal.

SUMMARY: The Surface Transportation Board (the Board) is withdrawing the proposed rule and discontinuing the Ex Parte No. 512 proceeding.

DATES: This withdrawal is made on March 7, 1996.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927–5610. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Effective January 1, 1996, the ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (ICCTA) abolished the Interstate Commerce Commission (the Commission) and established within the Department of Transportation. Section 204 of the ICCTA provides that ''[t]he Board shall promptly rescind all regulations established by the [Commission] that are based on provisions of law repealed and not substantively reenacted by this Act.'' Former 49 U.S.C. 10784, the statutory basis for the Part 1262 rail valuation regulations, has been repealed.

Accordingly, in a separate proceeding, *Removal of Obsolete Valuation Regulations,* STB Ex Parte No. 539, the Board is removing the now obsolete part 1262 regulations as well as Instruction 1–3 (g) in part 1201, which refers to Part 1262.

Prior to the elimination of § 10784, in *Uniform System of Records of Property Changes for Railroad Companies,* Ex Parte No. 512 (ICC served Aug. 26, 1992) and published at 57 FR 38810 (1992), the Commission had proposed to eliminate these same regulations. The Commission stated that the more general instructions in 49 CFR 1201, Uniform System of Accounts for Railroad Companies, provided sufficient guidelines to support adequate accounting for rail property. Moreover, to conform to generally accepted accounting principles (GAAP), railroads had developed internal accounting systems that appropriately record and document property changes. Also, railroads provide property information in Annual Report Form R–1 (R–1).

In light of our action in STB Ex Parte No. 539, it is unnecessary to continue this proceeding. We have considered the comments that were submitted in response to the Commission's proposal and are satisfied that no further action need be taken.

Of the three comments received in response to the Commission's proposal, only one (jointly filed by the Western Coal Traffic League and Edison Electric Institute (WCTL/EEI)) opposed the elimination of the rules. WCTL/EEI suggested that the Part 1262 regulations continued to serve a useful purpose in computing variable costs. The problem with reliance on Part 1201 and GAAP, in WCTL/EEI's view, was that Part 1201 lacks sufficient detail to ensure recordkeeping uniformity among all Class I railroads, and GAAP is variously interpreted and applied among its users. For this reason, WCTL/EEI argued that Part 1201 and GAAP would not be an effective vehicle for ensuring uniformity. They expressed concern that, if Part 1262 were eliminated, there would be an increase in the incidence of disparities in the form and content of property records, which could make it more difficult to develop accurate and reliable variable cost estimates. WCTL/EEI also hypothesized that, without Part 1262 to ensure uniformity, the cost of developing property costs using the Uniform Railroad Costing System (URCS) would increase. Finally, they argued that the cost of maintaining the Part 1262 requirements vis-a-vis different systems should be small.

WCTL/EEI's concern that elimination of Part 1262 would lessen the accuracy of property accounting and, in turn, adversely affect the URCS variable cost computation is misplaced. Part 1262 sets forth detailed recordkeeping requirements to update the basic railroad property valuation essentially completed in 1920. By the early 1960's, the basic property valuations were reconciled with the accounting records as prescribed in Part 1201. Thus, the recorded value of property reported under Parts 1201 and 1262 regulations are comparable. The data requirements for URCS are not dependent upon the form of records required by Part 1262. We believe that Part 1201 provides adequate provision to obtain the data and information necessary for URCS.

We also find no need for the specific Part 1262 forms for other Board purposes. Part 1262 forms are not used in the review and approval of railroad depreciation rates, which use data supported by Part 1201. Data contained elsewhere, especially in the R–1, comprise the basic source of financial and cost information used by the Board. In short, elimination of Part 1262 will not compromise the integrity of the railroads' property accounts. For that reason, and in light of the Congressional action repealing 49 U.S.C. 10784, we are discontinuing the Ex Parte No. 512 proceeding.

Environmental and Energy Considerations

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Regulatory Flexibility Analysis

We conclude that this action will not have a significant economic impact on a substantial number of small entities. No new regulatory requirements are being imposed on such entities. As required by the ICCTA, the Board removed the Part 1262 regulations in STB Ex Parte No. 539 because former 49 U.S.C. 10784 was eliminated. Moreover, we have here determined that those regulations are not needed for any other Board purpose. Accordingly, the economic impact, if any, of our withdrawing the proposed rules and discontinuing this proceeding, will not likely affect a significant number of small entities.

Decided: February 28, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–5411 Filed 3–6–96; 8:45 am]

BILLING CODE 4915–00–P