

(4) Identification of rail or motor carrier involved, or of operator of motor vehicles involved.

(5) Identification of any public or private authority that investigated the accident/incident involved.

(6) Name, address, and telephone number of any witness to the action that is the subject of the application.

(7) Detailed description of the action that is the subject of the application, including why the person submitting the application thinks that the action merits the extraordinary recognition embodied in the Medal of Honor.

(c) An application and any documentary or other evidence supporting it must be supported by oath or affirmation, or by the signer's acknowledgment that a knowingly false statement is punishable as perjury.

§ 79.5 Investigation.

The Department of Transportation may make any investigation of an application that it deems appropriate, including the taking of testimony under oath or affirmation.

§ 79.7 Award.

If the Secretary of Transportation decides that it is warranted, the Secretary shall award the Medal on behalf of and in the name of the President of the United States.

§ 79.9 Design.

The Department is authorized to adopt and revise the existing designs for the award, rosette, and ribbon provided for by statute.

Issued in Washington, DC, on this 1st day of April, 1996.

Federico Peña,

Secretary of Transportation.

[FR Doc. 96-9704 Filed 4-19-96; 8:45 am]

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Surface Transportation Board

49 CFR Part 1169

[STB Ex Parte No. 544]

Removal of Obsolete Regulations for Discontinuance of Bus Transportation in One State

AGENCY: Surface Transportation Board.

ACTION: Final rule.

SUMMARY: The Surface Transportation Board (the Board) is removing from the Code of Federal Regulations obsolete regulations concerning discontinuance of bus transportation in one state.

EFFECTIVE DATE: January 1, 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 (ICC) and established the Board within the Department of Transportation. Section 204 of the ICCTA provides that "[t]he Board shall promptly rescind all regulations established by the [ICC] that are based on provisions of law repealed and not substantively reenacted by this Act."

Under the Bus Regulatory Reform Act of 1982 (the Bus Act), state regulation of bus exit was relaxed. As here pertinent, section 16 of the Bus Act (codified at 49 U.S.C. 10935) provided a mechanism for bus companies to seek ICC permission to discontinue service on intrastate routes that form part of interstate routes when they have been denied permission by state regulatory bodies to discontinue such service.¹ *In Preemption of State Regulations—Regular-Route Exit*, 133 M.C.C. 20 (1982), the ICC issued rules,

¹ Under 49 U.S.C. 10935, discontinuance means total cessation of service or reducing the level of service to less than one trip per weekday (excluding Saturdays and Sundays).

found at 49 CFR 1169, to implement this statutory provision.

Pursuant to the ICCTA, 49 U.S.C. 10935 has been repealed. Because the section 10935 statutory basis for the part 1169 regulations for discontinuance of bus transportation in one state has been repealed, we are removing the now obsolete part 1169 regulations.²

Because this action merely reflects, and is required by, the enactment of the Act and will not have an adverse effect on the interests of any person, this action will be deemed to be effective as of January 1, 1996.

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

List of Subjects in 49 CFR Part 1169

Administrative practice and procedure, Buses, Motor Carriers.

Decided: April 9, 1996.

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

Vernon A. Williams,
Secretary.

PART 1169—[REMOVED]

For the reasons set forth in the preamble and under the authority of 49 U.S.C. 721(a), title 49, chapter X of the Code of Federal Regulations is amended by removing part 1169.

[FR Doc. 96-9788 Filed 4-19-96; 8:45 am]

BILLING CODE 4915-00-P

² We note that the repeal was not intended to reintroduce state regulation. Rather, under the preemption provisions of old 49 U.S.C. 11501(e), which were amended and recodified at 49 U.S.C. 14501(a), interstate or intrastate scheduling changes, including discontinuance and the reduction of the level of service on a carrier's interstate routes, are preempted from state regulation. The new law, we also note, leaves unchanged the ability of states to require notice, not to exceed 30 days, of schedule changes and discontinuances. As before, states may regulate intrastate commuter bus operations and strictly intrastate routes.