

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Fitzgerald Federal Building, John F. Kennedy International Airport, Jamaica, New York, 11430.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Clinton County Airport.

Issued in Jamaica, New York on October 3, 1996.

Thomas Felix,

*Acting Manager, Planning & Programming
Branch Eastern Region.*

[FR Doc. 96-25952 Filed 10-8-96; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Regulations Governing the Common Carrier Transportation of Household Goods

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: This document provides notice that the arbitration requirements imposed on household goods carriers providing service in interstate and foreign commerce by the ICC Termination Act of 1995 (ICCTA) are in effect with respect to all shipments transported after December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Stanley M. Braverman (202) 927-6316, or Paul Brennan (202) 366-0834, Office of the Chief Counsel, Federal Highway Administration, 400 Seventh St., SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: This document provides notice that the arbitration requirements imposed on household goods carriers providing service in interstate and foreign commerce by the ICCTA, Pub. L. No. 104-88, 109 Stat. 803, are in effect with respect to all shipments transported after December 31, 1995.

The ICCTA mandates that, as a condition of registration, a carrier providing transportation of household goods must agree to offer shippers arbitration as a means of settling disputes regarding loss and damage claims, 49 U.S.C. 14708. The arbitration procedural requirements are detailed in the ICCTA, and the following is a general overview of those requirements as set forth in 49 U.S.C. 14708(b): (1) The arbitration offered must be designed

to prevent the carrier from having special advantage; (2) the carrier must provide notice, before the goods are tendered for transport, to the shipper of the availability of neutral arbitration, including a summary of the arbitration procedure, any applicable costs, and disclosure of the legal effects of election to utilize arbitration; (3) upon the shipper's request, the carrier must provide forms and information necessary for initiating an action to resolve a dispute under arbitration; (4) each person authorized to arbitrate must be independent of the parties to the dispute and capable of resolving such disputes, and the carrier must ensure that the arbitrator is authorized and able to obtain from the carrier or shipper any material or relevant information to carry out a fair and expeditious decisionmaking process; (5) no shipper may be charged more than half the cost for instituting an arbitration and the arbitrator may make a determination as to payment of the costs in the arbitration decision; (6) the carrier must not require the shipper to agree to utilize arbitration before a dispute arises, and arbitration is binding, for claims of \$1000 or less, if the shipper requests arbitration or, for claims of more than \$1000, if the shipper requests arbitration and the carrier agrees to it; (7) if all parties agree, the arbitrator may provide for an oral presentation of a dispute by a party or representative of a party; and (8) the arbitrator must render a decision within 60 days of receipt of written notification of the dispute (that 60-day period may be extended for a reasonable period under certain circumstances), and a decision by an arbitrator may include any remedies appropriate under the circumstances.

Because the arbitration requirement is now a condition of registration, the registration regulations will be amended to reflect that condition. An interim final rule will be published to require each applicant seeking authority to transport household goods to certify, as a condition of registration, that it agrees to offer, in accordance with 49 U.S.C. 14708, its shippers arbitration as a means of settling disputes concerning damage or loss to household goods transported and that applicant has such a system in place. Failure to implement this required arbitration system could result in the suspension or revocation of the household goods carrier's registration. Further, by this notice, all carriers transporting household goods in interstate commerce are advised that arbitration programs must be in place and that all loss and damage claims arising from shipments transported after

December 31, 1995, are subject to the arbitration requirements. The information for shippers will be amended to replace the required summary of any dispute settlement program with a summary of the arbitration procedure.

(23 U.S.C. 315; 49 U.S.C. 14708; 49 CFR 1.48)

Issued on: September 30, 1996.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 96-25879 Filed 10-8-96; 8:45 am]

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National Highway Traffic Safety Administration

[Docket No. 96-106; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 1997 Mercedes-Benz Gelaendewagen Type 463 Multi-Purpose Passenger Vehicles are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on petition for decision that nonconforming 1997 Mercedes-Benz Gelaendewagen Type 463 multi-purpose passenger vehicles (MPVs) are eligible for importation.

SUMMARY: This notice requests comments on a petition submitted to the National Highway Traffic Safety Administration (NHTSA) for a decision that a 1997 Mercedes-Benz Gelaendewagen Type 463 MPV that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because it has safety features that comply with, or are capable of being altered to comply with, all such standards.

DATES: The closing date for comments on the petition is November 8, 1996.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. [Docket hours are from 9:30 am to 4 pm.]

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all