

(e) *Country of origin content labeling.* A manufacturer of a passenger motor vehicle distributed in commerce for sale in the United States that willfully fails to attach the label required under 49 U.S.C. 32304 to a new passenger motor vehicle that the manufacturer manufactures or imports, or a dealer that fails to maintain that label as required under 49 U.S.C. 32304, is liable to the United States Government for a civil penalty of not more than \$1,100 for each violation. Each failure to attach or maintain that label for each vehicle is a separate violation.

(f) *Odometer tampering and disclosure.* (1) A person that violates 49 U.S.C. Chapter 327 or a regulation prescribed or order issued thereunder is liable to the United States Government for a civil penalty of not more than \$2,200 for each violation. A separate violation occurs for each motor vehicle or device involved in the violation. The maximum civil penalty under this paragraph for a related series of violations is \$110,000.

(2) A person that violates 49 U.S.C. Chapter 327 or a regulation prescribed or order is issued thereunder, with intent to defraud, is liable for three times the actual damages or \$1,650, whichever is greater.

(g) *Vehicle theft protection.* (1) A person that violates 49 U.S.C. 33114(a)(1)-(4) is liable to the United States Government for a civil penalty of not more than \$1,100 for each violation. The failure of more than one part of a single motor vehicle to conform to an applicable standard under 49 U.S.C. 33102 or 33103 is only a single violation. The maximum penalty under this paragraph for a related series of violations is \$275,000.

(2) A person that violates 49 U.S.C. 33114(a)(5) is liable to the United States Government for a civil penalty of not more than \$110,000 a day for each violation.

(h) *Automobile fuel economy.* (1) A person that violates 49 U.S.C. 32911(a) is liable to the United States Government for a civil penalty of not more than \$11,000 for each violation. A separate violation occurs for each day the violation continues.

(2) Except as provided in 49 U.S.C. 32912(c), a manufacturer that violates a standard prescribed for a model year under 49 U.S.C. 32902 is liable to the United States Government for a civil penalty of \$5.50 multiplied by each .1 of a mile a gallon by which the applicable average fuel economy standard under that section exceeds the average fuel economy—

(i) Calculated under 49 U.S.C. 32904(a)(1)(A) or (B) for automobiles to

which the standard applies manufactured by the manufacturer during the model year;

(ii) Multiplied by the number of those automobiles; and

(iii) reduced by the credits available to the manufacturer under 49 U.S.C. 32903 for the model year.

Issued on January 30, 1997.

Ricardo Martinez,

*Administrator.*

[FR Doc. 97-2745 Filed 2-3-97; 8:45 am]

BILLING CODE 4910-59-P

## Surface Transportation Board

### 49 CFR Part 1142

[STB Ex Parte No. 621]

#### Removal of Obsolete Regulations Concerning Expedited Complaint Procedures Against Bus Carrier Rates

**AGENCY:** Surface Transportation Board, Transportation.

**ACTION:** Final rule.

**SUMMARY:** The Surface Transportation Board (Board) is removing from the Code of Federal Regulations obsolete regulations concerning expedited complaint procedures against bus rates. **EFFECTIVE DATE:** February 4, 1997.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Effective January 1, 1996, the ICC Termination Act of 1995, Public Law No. 104-88, 109 Stat. 803 (ICCTA), abolished the Interstate Commerce Commission (ICC) and established the Board within the Department of Transportation. Section 204(a) 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."

As here relevant, the Bus Regulatory Reform Act of 1982 (Bus Act) established a zone of rate freedom (ZORF) within which bus carriers could raise or lower their rates without being subject to protest and investigation or suspension. Former 49 U.S.C. 10708(d)(4). The ZORF expanded by specified percentages over a 3-year period (former section 10708(d)(5)). After 3 years, the zone became unlimited. As a result, the ICC could not suspend or investigate a proposed rate on unreasonableness grounds unless the proposed rate was established collectively under an agreement approved by the ICC under former 49 U.S.C. 10706(b). Former 49 U.S.C.

10708(e). Parties, however, could file complaints challenging the reasonableness of rates established within the ZORF, and, after 3 years, of any effective rate or fare filed under section 10708. Former 49 U.S.C. 10708(f). The resulting complaint proceedings were to be resolved within 90 days. *Id.* Consequently, the ICC established at 49 CFR part 1142 expedited procedures for filing and handling such complaints against effective bus rates or fares established under the ZORF on grounds that they were unreasonably high or low. *Procedures-Complaints Against Bus Car. Rates & Fares*, 133 M.C.C. 50 (1982), *modified on reopening*, 133 M.C.C. 240 (1983).

Under the ICCTA, the Board has jurisdiction to determine the reasonableness of rates or fares of motor carrier of passengers only if they are made collectively under agreements pursuant to new 49 U.S.C. 13703. New 49 U.S.C. 13703(a)(5). Moreover, the ICCTA eliminated the provisions under former section 10708(d) and (f) concerning the ZORF and the expedited procedures for filing complaints. Because the statutory basis for the regulations at 49 CFR part 1142 has been eliminated, we will remove those regulations. We note that parties still may file complaints against bus carriers under our regulations at 49 CFR part 1111.

Because this action merely reflects, and is required by, the enactment of the ICCTA and will not have an adverse effect on the interests of any person, this action will be made effective on the date of publication in the Federal Register.

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 1142

Administrative practice and procedure, Buses.

Decided: January 24, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,  
*Secretary.*

#### PART 1142—[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 1142.

[FR Doc. 97-2548 Filed 2-3-97; 8:45 am]

BILLING CODE 4915-00-P