

Regulations, applies for a foreign air carrier permit authorizing charter air transportation of persons, property and mail between a point or points in Denmark, Norway, and Sweden, on the one hand, and a point or points in the United States, on the other hand, and other charters subject to Part 212 of the Department of Transportation's Regulations.

Paulette V. Twine,

Chief, Documentary Services.

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BILLING CODE 4910-62-P

National Highway Traffic Safety Administration

[Docket No. 95-20; Notice 4]

Child Safety Seats; Settlement Agreement Between General Motors and U.S. Department of Transportation

AGENCY: National Highway Traffic

Safety Administration (NHTSA), DOT.

ACTION: Notice; request for certifications.

SUMMARY: This notice, the fourth and final of its kind, describes a settlement agreement between General Motors (GM) and the U.S. Department of Transportation (DOT), under which GM agreed to donate funds to one or more qualified national organizations for the purchase and distribution of child safety seats. Organizations that wish to receive such funds are required to certify in writing that they are qualified, in accordance with criteria established in the agreement. To qualify, organizations must demonstrate that they are national in scope, and they must submit a plan showing they are prepared to purchase and distribute child safety seats within 120 days of their receipt of the funds. They must also meet other requirements. Organizations are strongly encouraged to form partnerships and work collaboratively for the purpose of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification.

This notice requests that organizations submit certifications and it describes the criteria they must meet and the information they must submit with their certifications to be eligible to receive these funds. Similar notices were published in the Federal Register on March 31 and June 29, 1995, and on March 29, 1996. As a result of the March 1995 notice, six organizations were determined by NHTSA to be qualified and were selected by GM to receive a total of \$2 million for the purchase and distribution of child safety seats. As a result of the June 1995 notice, six organizations were determined by

NHTSA to be qualified and three were selected by GM to receive a total of \$2 million for the purchase and distribution of child safety seats. As a result of the March 1996 notice, four organizations were determined by NHTSA to be qualified and were selected by GM to receive a total of \$2 million for the purchase and distribution of child safety seats.

As a result of today's notice, one or more organizations will be determined by NHTSA to be qualified and will be selected by GM to receive the final \$2 million in donations for the purchase and distribution of child safety seats under the settlement agreement.

DATE: Certifications must be received no later than May 12, 1997.

ADDRESS: Certifications should be submitted to: Office of Communication and Outreach, NTS-22, Room 5118, 400 Seventh Street, S.W., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Ms. Cheryl Neverman, National Outreach Division, NTS-22, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Telephone (202) 366-2683.

SUPPLEMENTARY INFORMATION:

DOT/GM Settlement Agreement

On December 2, 1994, then Secretary of Transportation Federico Peña announced that DOT and GM had agreed in principle to a resolution of the investigation by the National Highway Traffic Safety Administration (NHTSA) into an alleged defect related to motor vehicle safety in certain 1970-1991 GM C/K pickup trucks. The terms of the resolution were finalized in a separate agreement that was executed between GM and DOT on March 7, 1995.

Under the terms of the agreement, GM agreed to provide funds over a period of five years to support highway safety research and programs that will prevent motor vehicle deaths and injuries.

In the area of child safety, GM agreed to donate \$8,000,000 to qualified organizations for the purchase and distribution of child safety seats. The agreement provided that, of this amount, \$4,000,000 will be donated during the first year after the date of the agreement (approximately \$1,000,000 each quarter) and \$4,000,000 will be donated over the next four years (at approximately the rate at which DOT expends funds for the development and support of child safety seat loaner and give-away programs during that period). The seats will be directed to underserved low income and special needs populations.

The agreement between GM and DOT provides:

DOT shall identify, on an ongoing basis so as to facilitate timely GM donations, qualified organizations which DOT in its sole discretion deems appropriate to receive donations from GM for the purchase and distribution of child safety seats. GM, in its sole discretion, shall select from the list of qualified organizations provided by DOT, the organization(s) to which it will donate funds, and shall decide the exact amount of funds that each such organization will receive.

The agreement provides further that any organization that is interested in being identified as a "qualified organization" must certify to DOT in writing that it will meet a number of criteria set forth in the agreement.

NHTSA estimates that these funds will allow for the purchase and distribution of between 125,000 and 200,000 child safety seats for needy families which, in turn, will save at least 50 lives and prevent approximately 6,000 injuries.

Child Safety

There are approximately 25 million young children under the age of eight years old who need the protection of child safety seats. One fourth of these children come from families that are below the poverty level.

As many as 3 million children in low-income families do not have access to adequate child safety seats. An additional 3 million children or more have access to child safety seats but, for a variety of reasons, are not being secured in these seats properly. Additionally, children with special transportation needs, such as children with disabilities, often require uniquely designed child safety seats that are too expensive for most families of low or average income to afford.

For these and other reasons, millions of children ride each day either unprotected or inadequately protected by child safety seats. A disproportionate number of these children are from low income or rural families or from culturally diverse populations.

To increase child safety seat usage, child safety seats must be made more readily available, particularly to underserved low income and special needs families. These families must also be motivated to use child safety seats and educated about their proper usage.

An effective child safety seat program can reach, and have a major positive impact on, large numbers of children as well as their families. To be most effective, however, the program must ensure that seats are distributed primarily to the populations most at risk, including underserved low income

and special needs families. If programs do not target these populations, the seats could be provided instead to families that could otherwise afford to purchase them, with little net benefit.

Previous Notices

On March 31 and June 29, 1995, and on March 29, 1996, NHTSA published notices in the Federal Register describing the agreement between GM and DOT and requesting that organizations interested in receiving funds certify in writing that they are qualified. NHTSA received over 20 certifications in response to the March 1995 notice, 8 certifications in response to the June 1995 notice and 4 certifications in response to the March 1996 notice.

Copies of these previous notices and the certifications received in response to them have been placed in NHTSA's Technical Reference Division (TRD), Docket Section, under Docket Number 95-20; Notices 1, 2 and 3. Individuals that wish to order a copy of these materials may do so by calling or writing to the TRD at Room 5108, 400 Seventh St., SW, Washington, D.C. 20590 (telephone number 202-366-2768) and referencing these docket numbers. A fee may be charged, based on the volume of material that is requested.

The certifications that NHTSA received in response to the notices were reviewed by evaluation panels of experienced NHTSA personnel, who determined whether the certifications met each of the required criteria and evaluated the certifications based on the evaluation factors specified in the notice.

The panel that reviewed the certifications responsive to the March 1995 notice determined that six organizations were qualified to receive donations from GM: National SAFE KIDS Campaign; National Safety Council (NSC); International Association of Chiefs of Police (IACP); National Easter Seal Society; Safe America Foundation/Operation Baby Buckle; and the State and Territorial Injury Prevention Directors Association (STIPDA).

GM decided that each of these organizations would receive donations for the purchase and distribution of child safety seats under the settlement agreement. GM donated \$1.5 million to SAFE KIDS to coordinate a major child safety seat program with three other qualified organizations (NSC, IACP and STIPDA), and specified that half of the child safety seats purchased by SAFE KIDS would be divided equally among NSC, IACP and STIPDA, to be

distributed through their channels. GM also donated \$400,000 to the National Easter Seal Society for its "unique program that reaches 'special needs' infants and children" and \$100,000 to Operation Baby Buckle for "the distribution of seats and its active public education and car safety seat awareness programs."

The panel that reviewed the certifications responsive to the June 1995 notice determined that six organizations were qualified to receive donations from GM.

GM decided that three of these organizations would receive donations for the purchase and distribution of child safety seats under the settlement agreement. GM donated \$800,000 to National SAFE KIDS Campaign, which formed a coalition with National Head Start Association and the National Association of Community Health Centers, "to reach a group that was more diverse than during the first phase of the program." GM donated \$800,000 to SAFE TEAM, USA, which forged an alliance that included the Safe America Foundation, the National Safety Council, the Native American Injury Prevention Network, the National Association of Community Action Agencies, the National Coalition of Hispanic Health and Human Services Organizations and the International Association of Chiefs of Police. GM stated that it expected this alliance "to reach deep into many communities." The alliance also proposed "a unique fund-raising activity to provide more child safety seats than could ordinarily be purchased with these funds." GM also donated \$400,000 to the National Easter Seal Society, which added the National Shriners Hospitals to its distribution plan for "an even greater distribution program during the second phase." GM stated that this organization "has demonstrated its capability to deliver child safety seats in a timely manner to "special needs" infants and children."

The panel that reviewed the certifications responsive to the March 1996 notice determined that four organizations were qualified to receive donations from GM: the National Easter Seal Society; the National Association of Children's Hospitals and Related Institutions (NACHRI), in association with the American Academy of Pediatrics (AAP), the National Association of Public Hospitals, and the Council of Women's and Infant's Specialty Hospitals (C-WISH); the Safe Team, which is comprised of the Safe America Foundation, the National Safety Council, the Native American Injury Prevention Coalition, the

National Association of Community Action Agencies, the National Coalition of Hispanic Health and Human Services Organizations, and the International Association of Chiefs of Police; and the National SAFE KIDS Campaign, in association with the National Head Start Association and the National Association of Community Health Centers.

GM decided to donate funds to each of these organizations for the purchase and distribution of child safety seats under the settlement agreement. GM decided to donate \$400,000 to the National Easter Seal Society, \$600,000 to NACHRI and its associates, \$500,000 to the Safe Team, and \$500,000 to the National SAFE KIDS Campaign and its associates.

Today's Notice

Today's notice describes the criteria that an organization must meet, and the information it must submit with its certification, to be identified by DOT as a "qualified organization." Certifications must be received no later than 60 days after the date of publication of today's notice in the Federal Register.

NHTSA will again convene a panel of experienced agency personnel to evaluate the certifications submitted. The members of the panel will determine whether the certifications meet each of the required criteria and will evaluate the certifications based on the evaluation factors specified in this notice. When the panel completes its review of the certifications, it will prepare a list of organizations it has determined to be qualified to receive donations for the purchase and distribution of child safety seats. NHTSA will provide the list to GM and place the list in the public docket.

This list of organizations will be used by GM to select the recipients of the final \$2 million for the purchase and distribution of child safety seats under the settlement agreement.

Any organization that wishes to be included on this fourth (and final) list, whether or not the organization was included on a previous list, must submit a certification.

Certification Criteria Established in Settlement Agreement

As explained earlier in this notice, the settlement agreement between GM and DOT provided that DOT would identify, on an ongoing basis, qualified organizations to be considered to receive GM donations, and GM would select recipients of donations from DOT's list of qualified organizations. In order to be considered for inclusion on

the list as a "qualified organization," the agreement provided that an organization must certify in writing that it shall meet eleven separate criteria. Listed below are descriptions of these criteria and the information that organizations must submit in their certifications to demonstrate compliance with them. (Following this section of the notice, in a section entitled "Certification Procedure," this notice describes the procedure organizations must follow to be considered for inclusion on the list as a "qualified organization" and includes a summary of the documents and additional information organizations must submit.)

(1) *Work Through Affiliates*

The organization must certify in writing that it shall:

work, through its state or local affiliates, with agencies such as children's hospitals and health agencies to identify families who could not otherwise afford seats or who have special needs

Organizations must be national in scope and have established and effective affiliate relationships at the state or local level capable of carrying out the effort. Organizations can satisfy this criterion by showing that they will work through their own state or local affiliates (e.g., units or chapters specifically organized to carry out the organization's mission) or with other affiliates (e.g., state or locally-based child safety-related agencies or organizations, such as children's hospitals or fire and rescue agencies), and by showing that they have commitments from these state or local affiliates.

Organizations that wish to participate in this program, and are state or locally-based rather than national in scope, are encouraged to affiliate with a national organization that plans to submit a certification or to encourage a national organization with which they are already affiliated to submit a certification.

Through these affiliates, organizations must have a network that will enable them to identify families of target populations who have not been reached through traditional channels, including families who could not otherwise afford seats or who have special needs, and to distribute seats and provide education to these families.

Organizations must submit information regarding their structure and a designation of geographic locations of state and local affiliates that are expected to be involved in the effort. Organizations must also submit information regarding the organizations and agencies with which they will be

affiliated for purposes of this program. In addition, organizations must describe their relationships with affiliates, including the role that affiliates will play, and they must demonstrate that they have commitments from affiliates (such as by submitting letters of commitment).

(2) *Existing Program or Trained Staff*

The organization must certify in writing that it shall:

have an existing loaner or give-away child safety seat program or have staff trained in child passenger safety issues

Organizations must have experience, either directly or through their affiliates, with a loaner or give-away program or staff trained in child passenger safety issues. Alternatively, organizations may collaborate with organizations that have such experience or trained staff, either directly or through their affiliates. National organizations that have the ability to reach underserved populations, but do not have experience with a child safety seat program or trained staff, for example, are strongly encouraged to collaborate with one or more national organizations that do. The experience or training is necessary to ensure that organizations, and their affiliates, are able to operate child safety seat programs, and to meet the deadlines and requirements established in the agreement for distributing seats and providing education to the recipients of the seats.

Organizations must describe their existing loaner or give-away child safety seat programs and their experience in providing education on the use of child safety seats. They must also describe existing loaner or give-away programs and experience in providing education of agencies or organizations that are affiliated with them or with which they have collaborative relationships.

Organizations must identify the number of current trained staff (of the organization, its affiliates and its collaborators) and provide a description of training conducted or taken by the staff and the dates of last training. If organizations have staff who have not been trained, but who are capable of being trained in child passenger safety issues, the organizations should describe their plans for training the staff.

If organizations plan to work collaboratively, they should submit a single combined certification. The certification must include letters of commitment from all collaborators.

Organizations are advised that NHTSA has trained hundreds of individuals throughout the country in

child passenger safety issues. If organizations are interested in receiving assistance from individuals who have received NHTSA training, they should contact one of NHTSA's ten regional offices, or the Governor's Highway Safety Representative in their State. Organizations must keep in mind, however, that they must be prepared to purchase and distribute child safety seats within 120 days of their receipt of the funds. Accordingly, their staff must be trained within the 120-day period.

(3) *Low-income or special needs across broad geographic area*

The organization must certify in writing that it shall:

distribute the seats to low-income families and/or families with special needs across a broad geographical area throughout the United States

The intent of this provision is to assure that underserved children from culturally diverse populations throughout the United States receive the benefits of the program. Qualified organizations need not distribute seats in every state. However, as stated previously, they must have a program that is national in scope and reaches their target populations throughout the United States.

Organizations must submit their mission statements, a description of the method they will use to identify underserved low income or special needs families, and a list of the geographic locations that would be targeted for receipt of the seats. They must demonstrate the ability to identify underserved low income and special needs families, and the ability to distribute seats to these families at the community level throughout the United States.

(4) *Mix of Child Safety Seats*

The organization must certify in writing that it shall:

comply with NHTSA guidelines with respect to the approximate mix of child safety seats (e.g., infant, toddler, booster, special needs)

Children of differing ages and transportation needs require different types of child safety seats. The intent of this provision is to assure that the children who are recipients under this program receive seats that meet their needs. The provision is also intended to assure that organizations purchase the correct mix of seats for their target population.

Organizations will need to identify the ages and transportation needs of the intended recipients and the types of seats needed to properly fit the target group. For example, an organization

targeting special needs children may need very specialized seats, while a program targeting older children may need convertible toddler and booster child restraint devices.

Organizations must specify the maximum number of seats they are capable of distributing to local agencies (their affiliates) within 120 days of their receipt of the funds and the amount of funding they are requesting from GM to purchase and distribute this number of seats. Organizations must specify the proposed mix and types of seats needed to serve the age and needs of the populations to be targeted (i.e., 25% booster seats, 50% toddler seats, 20% infant seats and 5% special needs seats), and must describe the method used to derive the mix. They should indicate whether the mix would change if they receive less funding than the full amount requested.

Organizations should also indicate whether they plan to operate a loaner or a give-away program and what fees, if any, they intend to charge. Both types of programs are acceptable. Any fees charged to recipients must be nominal, and any income from these fees must be used for the purchase and distribution of additional child safety seats under the agreement.

(5) *Within 120 Days*

The organization must certify in writing that it shall:

distribute all of the seats purchased with the funds provided by GM to the local agencies within 120 days of the receipt of the funds

Organizations are required, under the agreement, to purchase and distribute all of the seats to local agencies (their affiliates) within 120 days of receipt of the funds. To satisfy this criterion, organizations must clearly demonstrate the ability to meet this requirement.

As stated previously, organizations must submit a plan describing how they will accomplish the purchase and distribution of seats to local agencies (their affiliates) within the 120-day period. The plan must describe how the organization will reach a broad geographical area, how it will identify the low income and special needs families to be served by this program, and it must include a proposed schedule for the purchase and distribution of seats. The plan must clearly demonstrate that the organization is able and prepared to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds and that, if their staff is not already experienced or trained, that they

will be trained within the 120-day period.

Organizations that were selected by GM to receive donations for the purchase and distribution of child safety seats under the settlement agreement as a result of the Federal Register notices published in March or June 1995, or in March 1996, must also describe the progress they have made, including the schedule they have followed, the number of seats they have distributed to local agencies (their affiliates) and the number of seats that have been provided to recipients, by geographic location.

Organizations must also demonstrate that the distribution and education efforts funded under this program will either create new initiatives or complement (rather than duplicate) existing initiatives, in the geographic areas to be served. In other words, these distribution and education efforts should take place in communities that have either been underserved or not been reached. In addition, organizations must ensure that their efforts do not conflict with activities already planned or underway. This may be demonstrated by including in the plan, a description of new or complementary initiatives that are planned and either letters of support from the organizations that are (or would be) responsible for child safety seat programs in the geographic areas to be served (such as state highway safety offices and state public health agencies) or a description of the organization's plans to coordinate with these responsible organizations.

(6) *Educate Recipients*

The organization must certify in writing that it shall:

educate recipients of the seats as to methods of proper installation and use

While the distribution of child safety seats is vitally important, and can save many children's lives, the effectiveness of those seats in preventing injury and death increases significantly when recipients are trained in and follow proper use and installation instructions. Organizations are required, under the agreement, to provide education to the recipients of the seats regarding the proper installation and use of child safety seats. Education is most effective if it is provided at the time that the seats are being distributed to recipients, and if it includes a number of components, such as conducting a hands-on demonstration, showing a video and having recipients demonstrate that they understand how to properly install and use their child safety seats.

Organizations must describe the specific means they, their affiliates or

their collaborators will use to educate families about the proper installation and use of child safety seats.

To assist in this effort, NHTSA will make resources, including materials and technical assistance, available to the selected organizations.

(7) *Administrative Expenses*

The organization must certify in writing that it shall:

not use more than 10 percent of the funds provided by GM for administrative expenses related to distribution of the seats

Organizations shall use no more than 10 percent of the funds provided by GM for administrative expenses related to the distribution of the seats. Examples of administrative expenses include operational overhead such as secretarial support, telephone expenses, and time of paid staff to help develop the plans for these efforts.

As stated previously, organizations are strongly encouraged to work collaboratively for the purpose of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification. Any such certification submitted for a group of organizations working collaboratively, must include a statement that provides that the organizations have reached agreement regarding the manner in which funds that may be used for administrative expenses will be allocated among the organizations. The actual agreement need not be provided. No additional information is required to be submitted at this time in support of this element of the certification.

(8) *Added to Existing Funds and No Diversions*

The organization must certify in writing that it shall:

add the GM-provided funds to the total of its existing funds spent on the distribution of child safety seats to low-income families and not divert any funds currently budgeted to such activities to other activities

Organizations shall add the GM-provided funds to the total of their existing funds, if any, spent on the distribution of child safety seats to low income and special needs families and not divert any funds currently budgeted to such activities, if any, to other activities. In other words, the funds provided by GM must represent new and additional resources, and may not be used to replace other funds, if any, that otherwise would have been used for the distribution of child safety seats to low-income families and their related education activities. No additional information is required to be submitted

at this time in support of this element of the certification.

(9) Third-Party Audit

The organization must certify in writing that it shall:

allow the activities conducted pursuant to this program to be audited by such third party as selected by DOT

Organizations shall allow the activities conducted pursuant to this program to be audited by such third party as may be selected by DOT. Organizations shall also maintain adequate records to allow an audit to be conducted. No additional information is required to be submitted at this time in support of this element of the certification.

(10) Enforceable Commitments and Promises

The organization must certify in writing that it shall:

acknowledge and agree that such commitments and promises shall be enforceable

Organizations shall acknowledge and agree that the commitments and promises they make shall be enforceable through legal process or other appropriate means. No additional information is required to be submitted at this time in support of this element of the certification.

(11) No Assumption of Responsibility

The organization must certify in writing that it shall:

acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use

Organizations shall acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use. No additional information is required to be submitted at this time in support of this element of the certification.

Certification Procedures

To be considered, certifications must be received no later than 60 days after the date on which today's notice is published in the Federal Register. Certifications should be submitted to the Office of Communication and Outreach, NTS-22, Room 5118, 400 Seventh Street, S.W., Washington, D.C. 20590.

Organizations are strongly encouraged to work collaboratively for the purpose

of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification.

Certifications must address each of the criteria described in detail above, in the section of this notice entitled "Certification Criteria Established in Settlement Agreement," and must include each of the following:

(1) Certification Statement

A written statement, signed by an authorized official of the organization, certifying that the organization shall:

(i) work, through its state or local affiliates, with agencies such as children's hospitals and health agencies to identify families who could not otherwise afford seats or who have special needs; (ii) have an existing loaner or give-away child safety seat program or have staff trained in child passenger safety issues; (iii) distribute the seats to low-income families and/or families with special needs across a broad geographical area throughout the United States; (iv) comply with NHTSA guidelines with respect to the approximate mix of child safety seats (e.g., infant, toddler, booster, special needs); (v) distribute all of the seats purchased with the funds provided by GM to the local agencies within 120 days of the receipt of the funds; (vi) educate recipients of the seats as to methods of proper installation and use; (vii) not use more than 10 percent of the funds provided by GM for administrative expenses related to distribution of the seats; (viii) add the GM-provided funds to the total of its existing funds spent on the distribution of child safety seats to low-income families and not divert any funds currently budgeted to such activities to other activities; (ix) allow the activities conducted pursuant to this program to be audited by such third party as selected by DOT; (x) acknowledge and agree that such commitments and promises shall be enforceable; and (xi) acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use.

(2) Plan

A plan describing how the organization will accomplish the purchase and distribution of seats to local agencies (their affiliates) within 120 days of receipt of the funds, how the organization will reach a broad geographical area, and how it will identify the low income and special needs families to be served by this program. It must include a proposed schedule for the purchase and distribution of seats, a description of new or complementary initiatives that are planned and either letters of support from the organizations that are (or would be) responsible for child safety seat programs in the geographic areas to

be served (such as state highway safety offices and state public health agencies) or a description of the organization's plans to coordinate with these responsible organizations.

The plan must clearly demonstrate that the organization is able and prepared to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds and that, if their staff is not already experienced or trained, that they will be trained within the 120-day period.

Organizations that were selected by GM to receive donations for the purchase and distribution of child safety seats under the settlement agreement as a result of the Federal Register notices published in March or June 1995, or in March 1996, must also describe the progress they have made since they received their donations, including the schedule they have followed, the number of seats they have distributed to local agencies (their affiliates) and the number of seats that have been provided to recipients, by geographic location.

(3) Additional Information

The following additional information to ensure that the organization is capable of meeting the objectives of the agreement:

- Information regarding the organization's structure and a designation of geographic locations of state and local affiliates to be involved in the effort;
- Information regarding the organizations and agencies with which the organization will be affiliated for purposes of this program;
- A description of their relationships with affiliates, including the role that affiliates will play, and either letters or some other demonstration of commitment from their affiliates;
- A description of the organization's, its affiliates' or its collaborators': existing loaner or give-away programs; experience in providing education on the use of child safety seats; the number of trained staff; a description of training conducted or taken; and the dates of last training;
- If organizations have staff who have not been trained, but who are capable of being trained in child passenger safety issues, a description of their plans for training the staff and an indication that the training will be completed within 120 days of receipt of the funds;
- If organizations plan to work collaboratively, letters of commitment from all collaborators and a statement that provides that the organizations have reached agreement regarding the manner in which funds that may be

used for administrative expenses will be allocated among the organizations (the actual agreement need not be provided);

- A mission statement of the organization;
- The method to be used to identify underserved low income or special needs families;
- A list of the geographic locations that would be targeted for receipt of the seats;
- The maximum number of seats the organization is capable of distributing to local agencies (their affiliates) within 120 days of its receipt of the funds; the amount of funding the organization is requesting from GM to purchase and distribute this number of seats; the proposed mix and types of seats needed to serve the age and needs of the populations to be targeted (i.e., 25% booster seats, 50% toddler seats, 20% infant seats and 5% special needs seats); the method used to derive the mix; and, if applicable, any change in mix if the organization receives less funding than the full amount requested;
- In indication of whether the organization plans to operate a loaner or a give-away program; an identification of the fees, if any, they intend to charge; and a statement that any income from these fees will be used for the purchase and distribution of additional child safety seats under the agreement; and
- A description of the specific means to be used by the organization, its affiliates or its collaborators to educate families about the proper installation and use of child safety seats.

Organizations must submit one original and two copies of their certifications. Certifications shall be subject to 18 U.S.C. § 1001, which prohibits the making of false statements. Organizations are requested to submit four additional copies to facilitate the review process, but there is no requirement or obligation to do so.

Organizations that would like to be notified upon receipt of their certifications should enclose a self-addressed stamped postcard in the envelope with their certifications. Upon receiving the certifications, the postcard will be returned by mail.

Evaluation Factors

Certifications will be reviewed by an evaluation panel of experienced agency personnel. The panel will determine whether the certifications meet each of the required criteria and will evaluate the certifications based on the following factors:

1. Understanding of the requirements of the agreement and soundness of approach as shown by the organization's plan and certification.

2. The ability to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds as shown by the organization's plan and certification.

3. The ability to identify underserved low income and special needs families.

4. The ability to distribute child safety seats to these target populations at the community level throughout the United States.

- The experience of the organization, its affiliates or its collaborators, in distributing child safety seats
 - The breadth and diversity of the underserved population the organization, its affiliates or its collaborators can effectively reach
5. The ability to provide education to recipients.

- The experience of the organization, its affiliates or its collaborators, in providing education on the use of child safety seats

- The level of training of the staff of the organization, its affiliates or its collaborators

6. The ability to conduct a distribution and education program that either creates new initiatives, or complements (rather than duplicates) existing initiatives, in the geographic areas to be served.

Issued on: March 6, 1997.

James Hedlund,

Associate Administrator for Traffic Safety Programs.

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Surface Transportation Board

[STB Finance Docket No. 33343]

Coach USA, Inc., Control Exemption, Progressive Transportation Services, Inc.; Powder River Transportation Services, Inc.; Worthen Van Service, Inc.; and PCSTC, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice of filing of petition for exemption.

SUMMARY: Coach USA, Inc. (Coach), a noncarrier that controls 15 motor passenger carriers, seeks to be exempted, under 49 U.S.C. 13541, from the prior approval requirements of 49 U.S.C. 14303(a)(5) to acquire control of four additional motor passenger carriers.

DATES: Comments must be filed by April 11, 1997. Petitioner may file a reply by April 21, 1997.

ADDRESSES: Send an original and 10 copies of comments referring to STB Finance Docket No. 33343 to: Office of

the Secretary, Case Control Unit, Surface Transportation Board, 1925 K Street, N.W., Washington, D.C. 20423-0001. Also, send one copy of comments to petitioner's representatives: Betty Jo Christian and David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue, N.W., Washington D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600 [TDD for the hearing impaired: (202) 565-1695].

SUPPLEMENTARY INFORMATION: Coach seeks an exemption to acquire stock control over four additional motor carriers of passengers that operate in interstate and intrastate commerce: Progressive Transportation Services, Inc. (PTS) (MC-247074) (primarily charter operations and regular-route service in New York State); Powder River Transportation Services, Inc. (PRTS) (MC-161531) (primarily charter operations and regular-route service in Wyoming, Colorado, Montana, and South Dakota); Worthen Van Service, Inc. (WVS) (MC-142573) (charter operations in Wyoming); and PCSTC, Inc., d/b/a Pacific Coast Sightseeing/Gray Line of Anaheim-Los Angeles (PCSTC) (MC-184852) (primarily charter operations and regular-route service in California).¹ According to petitioner, PRTS and WVS largely share common stock ownership, as each is controlled by the same family. Coach states that each of the four carriers accounts for a relatively small market share and operates regionally in diverse markets across the United States.

Coach indicates that it currently controls the nation's second largest group of motor passenger carriers. In May 1996, Coach acquired control of the following 10 motor passenger carriers: Arrow Stage Lines, Inc. (MC-29592); Cape Transit Corp. (MC-161678); Community Coach, Inc. (MC-76022); Community Transit Lines, Inc. (MC-145548); Grosvenor Bus Lines, Inc. (MC-157317); H.A.M.L. Corp. (MC-194792); Leisure Time Tours (MC-142011); Suburban Management Corp. (MC-264527); Suburban Trails, Inc. (MC-149081); and Suburban Transit Corp. (MC-115116).² In November 1996 Coach acquired control of the following

¹ Petitioner indicates that the stock of PTS, PRTS, WVS, and PCSTC was placed in separate, independent voting trusts with different trustees, with the intent of avoiding any unlawful control.

² See *Notre Capital Ventures II, LLC and Coach USA, Inc.—Control Exemption—Arrow Stage Lines, Inc.; Cape Transit Corp.; Community Coach, Inc.; Community Transit Lines, Inc.; Grosvenor Bus Lines, Inc.; H.A.M.L. Corp.; Leisure Time Tours; Suburban Management Corp.; Suburban Trails, Inc.; and Suburban Transit Corp.*, STB Finance Docket No. 32876 (Sub-No. 1) (STB served May 3, 1996).