

listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Pensacola.

Issued in Orlando, Florida on September 6, 1995.

Charles E. Blair,

Manager, Orlando Airports District Office
Southern Region.

[FR Doc. 95-23345 Filed 9-19-95; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Supplemental Environmental Impact Statement: Salt Lake County, UT

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a supplemental environmental impact statement will be prepared to amend the design features on a proposed highway project in Salt Lake County, Utah.

FOR FURTHER INFORMATION CONTACT:

Tom Allen, Project Development Engineer, Federal Highway Administration, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84118, Telephone: (801) 963-0182; or Byron Parker, Preconstruction Engineer, Utah Department of Transportation, Region Two, 2060 South 2400 West, Salt Lake City, Utah 84104, Telephone: (801) 975-4806.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Utah Department of Transportation, will prepare a supplemental environmental impact statement (SEIS) on a proposal to amend the design features of the West Valley Highway (Bangerter Highway) 9000 to 126000 South, project to accommodate an at-grade intersection with 9800 South. The record of decision was made on March 7, 1994 on the final EIS, FHWA-UT-EIS-92-01-F. West Valley Highway (Bangerter Highway), 9000 South to 12600 South, in Salt Lake County, Utah. The final EIS did not address an intersection connection with 9800 South because the road was constructed by South Jordan City after the record of decision on the final EIS was made.

The proposal would provide for an intersection at 9800 South which is on the long range plan for South Jordan City. Alternatives under consideration include: (1) No Action, which would require the construction of a grade separated structure without access to

Bangerter Highway; and (2) At-grade Intersection, with access to Bangerter Highway. The proposal is considered to be limited in scope and does not affect other project activities, therefore, design and construction of Bangerter Highway, from 9000 South to 12600 South, will proceed as provided for in 23 CFR 771.130(f).

South Jordan City has conducted several public meetings and a public hearing leading to their decision to construct 9800 South and to request an intersection with the Bangerter Highway. Considerable public interest has been identified, both for and against the intersection. Knowledge of this interest has led to the decision to conduct an SEIS. No additional formal scoping is expected at this time. A public hearing will be held. Public notice will be given of the time and place of the public hearing. The draft SEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that a full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited for all interested parties. Comments or questions concerning this proposed action and the SEIS should be directed to the FHWA or UDOT at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: September 11, 1995.

Michael G. Ritchie,

Division Administrator, Salt Lake City, Utah.

[FR Doc. 95-23261 Filed 9-19-95; 8:45 am]

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National Highway Traffic Safety Administration

[Docket No. 95-40; Notice 2]

Vector Aeromotive Corporation Grant of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208

Vector Aeromotive Corporation of Jacksonville, Florida, applied to be exempted from paragraph S4.1.4 of Federal Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection*. The basis of the application was that compliance will cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith.

Notice of receipt of the application was published on June 26, 1995, and an opportunity afforded for comment (60 FR 33029). This notice grants the application.

According to its application, Vector intends to begin production of a two-seat high performance sport car in September 1995 called the Vector Avtech SC ("Avtech"). Design concept specifications were developed several years ago for the Avtech, and a prototype shown at the Geneva Automobile Show in March 1992. During this time, Vector produced a sports car called the Vector W8. This car went out of production in early 1993 after a run of 22 vehicles, and Vector has produced no motor vehicles since.

Vector's single largest shareholder is V'Power Corp., a Bahamian Corporation, which is also the controlling shareholder of Automobili Lamborghini S.p.A. Lamborghini, which manufactured 1,475 cars between 1989 and 1994, was recently granted a temporary exemption from Motor Vehicle Safety Standard No. 214 *Side Impact Protection* (59 FR 59458). V'Power will provide Vector with \$5.5 million in funds to finance Vector's proposed development schedule over the next 12 months. Vector's cumulative net losses in the three years preceding the filing of its application were approximately \$12,400,000.

Vector evaluated "the original Avtech prototype" in order to determine "what changes had to be made to install a driver and passenger side airbag system. The specific areas which are projected to require design changes or additional development are related to the main chassis design forward of the A pillar, instrument panel, steering column, steering wheel, and seats." The applicant has begun to integrate these design changes into the Avtech SC. Vector has received airbag development program cost estimates of approximately \$1,500,000 from airbag suppliers. At the time of its application, it stated that it had already spent \$56,000 in pursuit of the project and an estimated 1000 man hours. Vector estimates that a year will be required in order to complete development, and that vehicles conforming to Standard No. 208 will be available in the time period June-September 1996. However, to allow for development problems, Vector asked for an exemption until May 1, 1997. In the meantime, it promises that the Avtech will be equipped "with an active, three point, seat belt system that meets, or exceeds, all FMVSS performance requirements."

The applicant also argued that an exemption would be in the public

interest as its development and production "will result in additional employment at the factory, vendor, dealer, and service levels." Its success "should establish the US as a major source for ultrahigh performance vehicles and technology". The Avtech will be equipped with "the only twelve cylinder engine offered by a US manufacturer." In its view, an exemption would be consistent with traffic safety objectives because the vehicle will otherwise comply with all applicable Federal motor vehicle safety standards. In addition, the company's production would be limited. It estimated sales of 60 cars through the second quarter of 1996.

No comments were received on the petition.

Pursuant to 49 U.S.C. 30113(b)(3)(B)(i), small manufacturers such as Vector may be temporarily exempted from a Federal motor vehicle safety standard such as Standard No. 208 if "compliance with the standard would cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith." The application must contain "a complete description of the manufacturer's good faith effort to comply" with the standard (49 U.S.C. 30113(c)(1)).

As a general rule, the agency is sympathetic to the economic problems of small manufacturers and tends to equate a cumulative net loss position to a per se showing of "substantial economic hardship." NHTSA recognizes that the engineering and testing of prototypes are costly and may be more easily borne by small manufacturers if conducted over a more extended period of time than is the custom with the major manufacturers. With the cumulative net losses of over \$12,000,000 as mentioned above, Vector has made a sufficient demonstration to convince the agency that, to require immediate compliance with the automatic restraint requirements of Standard No. 208 would cause it substantial economic hardship.

However, in order for the agency to make the requisite finding of good faith, a manufacturer who applies for an exemption under section 30113(b)(3)(B)(i) must demonstrate that it has made at least a colorable attempt to meet the requirements of the standard from which it requests exemption.

In 1991, Congress decided that 95% of passenger cars manufactured between September 1, 1996, and September 1, 1997, must be equipped with a driver and front seat passenger airbag, plus a manual lap/shoulder belt, and that 100% of all cars manufactured on and

after September 1, 1997, be so equipped. This requirement originated in Section 2508 of the NHTSA Authorization Act of 1991 (part of the Intermodal Surface Transportation Efficiency Act of 1991, known as "ISTEA"), enacted in December 1991. To implement this requirement, NHTSA published a notice of proposed rulemaking (NPRM) on December 14, 1992 and a final rule on September 2, 1993.

Thus, by the time Vector displayed its prototype at Geneva in March 1992, the industry had been aware for at least three months that it would eventually have to provide air bags for the driver and front seat passenger. By the time of the Geneva show, Vector was on notice that, four and one-half years later, 95% of its production would have to be so equipped. When the production of the Vector W8 terminated in early 1993, NHTSA had already issued the NPRM reiterating the compliance schedule mandated by Congress. The final rule was issued 20 months before Vector's application. These regulatory actions were widely publicized at the time.

Vector identified the Avtech SC shown at Geneva as a "prototype", rather than a "concept", indicating to NHTSA that the vehicle was intended for eventual production. NHTSA believes that a good faith effort to conform the Avtech SC to the automatic restraint requirements of Standard No. 208 (whether automatic belts or airbags) should have begun as part of the further development of the prototype for production, and that the modification of the chassis, instrument panel, seats, etc. mentioned in the application should have commenced years earlier than it apparently has. Although the applicant states that it has spent \$56,000 on its efforts to conform, this figure represents less than two percent of the amount that it has spent on research and development, a total of \$3,178,501 for its fiscal years 1992, 1993, and 1994.

Very simply, NHTSA expects an American manufacturer to develop and engineer new products to conform to all applicable Federal motor vehicle safety standards, especially when a leadtime of this length has been provided.

However, NHTSA recognizes that the applicant was experiencing well-publicized problems when the W8 went out of production which eventually resulted in a complete change of corporate management. It may have been that, until these problems were resolved, the applicant had not decided as to the course of its future production and whether such would include the Avtech. Thus, NHTSA is willing to give Vector the benefit of the doubt in finding that it has made a good faith

effort to comply with Standard No. 208. However, in the belief that it might have done more, NHTSA is providing an exemption that will expire on September 1, 1996, eight months less than Vector requested.

In granting an exemption of only one year instead of twenty months, NHTSA has taken into account the company's financial position. Its single largest shareholder intends to provide it with \$5.5 million in funds to finance its proposed development schedule over the next 12 months, and a short exemption period will encourage Vector to achieve conformance by September 1, 1996.

The applicant believes that an exemption would be in the public interest as its development and production "will result in additional employment at the factory, vendor, dealer, and service levels." In the past, NHTSA has found such an argument sufficient to uphold the public interest in granting an exemption, no matter how minimal the positive impact might be on the economy.

In its view, an exemption would be consistent with traffic safety objectives because the vehicle will otherwise comply with all applicable Federal motor vehicle safety standards. NHTSA notes also that the market for so-called "supercars" like the Vector has softened considerably and that the company's projected estimate of sales of 60 cars through the second quarter of 1996 may be unduly optimistic. Vector's limited exemption is likely to have only the most minimal impact upon motor vehicle safety. Finally, one of the objectives of Chapter 301 is to provide temporary relief to small manufacturers attempting to comply with the Federal motor vehicle safety standards.

In consideration of the foregoing, it is hereby found that to require immediate compliance with Standard No. 208 would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard, and that an exemption is consistent with the public interest and 49 U.S.C. Chapter 301—*Motor Vehicle Safety*. Accordingly, Vector Automotive Inc. is hereby granted NHTSA Exemption No. 95-3 from paragraph S4.1.4 of 49 CFR 571.208 *Motor Vehicle Safety Standard No. 208 Occupant Crash Protection*, expiring September 1, 1996.

(49 U.S.C. 30113; delegation of authority at 49 CFR 1.50).

Issued on September 13, 1995.

Ricardo Martinez,

Administrator.

[FR Doc. 95-23262 Filed 9-19-95; 8:45 am]

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**UNITED STATES INFORMATION
AGENCY**

**U.S. Advisory Commission on Public
Diplomacy Meeting**

AGENCY: United States Information
Agency.

ACTION: Notice.

SUMMARY: A meeting of the U.S. Advisory Commission on Public Diplomacy will be held on September 20 in Room 600, 301 4th Street, S.W., Washington, DC. from 9 a.m.-12 noon.

At 9 a.m. the Commission will meet with Ms. Donna Oglesby, Counselor, USIA, to discuss USIA 2000, a report of the Agency's Senior Review Committee identifying adaptive challenges facing the U.S. Information Agency.

FOR FURTHER INFORMATION CONTACT: Betty Hayes, (202) 619-4468, if you are interested in attending the meeting. Space is limited and entrance to the building is controlled.

Dated: September 14, 1995.

Rose Royal,

*Management Analyst, Federal Register
Liaison.*

[FR Doc. 95-23330 Filed 9-19-95; 8:45 am]

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