

Dated: November 8, 1995.
 Patrick M. Tobin,
Acting Regional Administrator.
 [FR Doc. 95-28489 Filed 11-22-95; 8:45 am]
 BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-170; RM-8721]

Radio Broadcasting Services; Campton, KY

AGENCY: Federal Communications
 Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by James P. Wagner proposing the allotment of Channel 279A at Campton, Kentucky, as the community's first local aural transmission service. Channel 279A can be allotted to Campton in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 279A at Campton are North Latitude 37-44-06 and West Longitude 83-32-48.

DATES: Comments must be filed on or before January 5, 1996 and reply comments on or before January 22, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James P. Wagner, P.O. Box 201, Alexandria, Kentucky 41001 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-170, adopted October 31, 1995, and released November 14, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules
 Division, Mass Media Bureau.*

[FR Doc. 95-28610 Filed 11-22-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 85-15; Notice 18]

RIN 2127 AB87

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices and Associated Equipment; Performance-Oriented Roadway Illumination Headlighting Compliance Alternative

AGENCY: National Highway Traffic
 Safety Administration (NHTSA),
 Department of Transportation.

ACTION: Termination of rulemaking.

SUMMARY: This notice terminates rulemaking action on the effort known as the Vehicle-Based Roadway Illumination Performance Requirement. It was begun as an attempt to move toward a more performance-oriented, less design-restrictive regulatory solution for assuring safe roadway environment illumination. The agency has not been able to adequately explore the myriad solutions to this problem to the extent necessary to satisfy the public's demand for achieving an objective decision on performance. As a consequence, the agency has decided to temporarily cease rulemaking in this area.

FOR FURTHER INFORMATION CONTACT: Mr. Richard L. Van Iderstine, 400 Seventh Street, SW, Washington, DC 20590. Mr. Van Iderstine's telephone number is: (202) 366-5275. His facsimile number is (202) 366-4329.

SUPPLEMENTARY INFORMATION: On May 9, 1989 (54 FR 20084) the Agency published a proposal to establish an alternative means of compliance with headlighting safety regulations. This proposal was known as the Vehicle-Based Roadway Illumination Performance Requirement or Performance-Oriented Roadway Illumination. The goal was to achieve a more performance-oriented, less design-restrictive regulatory solution for assuring safe roadway environment illumination. Because the outcome of this action had the potential to be so different from any known means of specifying headlighting performance, commenters to the proposal were skeptical that any solution would be usable and that even if it were, the perceived regulatory burdens of it would not be commensurate with the uncertain potential benefits to public safety. This concern occurred because the proposal had the effect of requiring substantially more illumination than was available from contemporary headlighting systems. It was viewed as not practicable by many of the commenters. As a consequence, commenters suggested that all the assumptions underlying the proposal be justified to assure that the significant increase in illumination would at least maintain safety, and that any solution (that might someday be mandated) would be practicable and cost-beneficial. If these criteria could not be achieved, then any solution, even if it were at the manufacturer's option, would have little likelihood of being used on motor vehicles.

The challenge of responding to these comments led NHTSA on a path to attempt to develop a computer-based methodology for quickly solving hundreds of mutually exclusive illumination conditions that occur every second of nighttime driving. Trade-offs are necessary to resolve these mutually exclusive illumination conditions. These conflicting needs exist because, for example, providing the high levels of light that may be needed to see pedestrians on the right side of a straight stretch of road may create glare for oncoming drivers around the next right hand curve in the road. Should the standard require that sufficient light be provided to ensure every pedestrian can be seen, that all glare to other drivers be eliminated, or that some more mutually satisfactory (or unsatisfactory) shared risk solution be achieved? Safety must be achieved both by balancing and by reducing the risks that occur in driving. It must be done in a cost-effective manner. A computer-based tool for