

(I) Rule 4622, adopted on February 17, 1994.

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[FR Doc. 96-10565 Filed 5-1-96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-195; RM-7091, RM-7146, RM-8123, RM-8124]

Radio Broadcasting Services; Beverly Hills, Chiefland, Holiday, Micanopy, Sarasota, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document dismisses an Application for Review filed by Dickerson Broadcasting, Inc. directed to an earlier action denying its Petition for Reconsideration. See 58 FR 17349 (April 2, 1993). Dickerson contended that the Class 3C FM channel at Beverly Hills was allotted without adequate notice. With this action, the proceeding is terminated.

EFFECTIVE DATE: May 2, 1996.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 776-1654.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 92-195, adopted March 21, 1996, and released April 16, 1996. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 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, (202) 857-3800, 2100 M Street, NW., Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-9796 Filed 5-01-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-77; RM-8616]

Television Broadcasting Services; Virginia Beach, VA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Lockwood Broadcasting, Inc., allots UHF Channel 21 to Virginia Beach, Virginia, as an additional television service. See 60 FR 31278, June 14, 1995. Channel 21+ can be allotted to Virginia Beach consistent with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission's Rules with a site restriction of 4.0 kilometers (2.5 miles) south to avoid the ATV freeze zone surrounding Washington, DC. The coordinates for Channel 21+ at Virginia Beach are 36-48-38 and 75-58-30. With this action, this proceeding is terminated.

EFFECTIVE DATE: June 10, 1996.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-77, adopted March 25, 1996, and released April 24, 1996. 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, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.606 [Amended]

2. Section 73.606(b), the Table of TV Allotments under Virginia, is amended by adding Channel 21+ at Virginia Beach.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-10853 Filed 5-1-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 80

[FCC 96-156]

Conforming the Maritime Service Rules to the Provisions of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action amends the maritime service rules, consistent with the statutory mandate of the 1996 Telecommunications Act, to eliminate the radiotelegraph carriage requirement for vessels equipped in accordance with the Global Maritime Distress and Safety System (GMDSS). The effect of this rule is to reduce economic burdens for vessel operators and increase safety at sea by promoting the carriage of GMDSS radio installations.

EFFECTIVE DATE: June 3, 1996.

FOR FURTHER INFORMATION CONTACT: Roger Noel of the Commission's Wireless Telecommunications Bureau at (202) 418-0680 or via email at rnoel@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 96-156, adopted April 5, 1996, and released April 12, 1996. The full text of this Order 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 may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Summary of Order

1. Prior to the enactment of the Telecommunications Act of 1996, Section 351 of the Communications Act required passenger vessels and large cargo vessels to be equipped with a manual Morse code radiotelegraph installation when navigating in the open sea or on international voyages. In 1988, the international maritime community agreed to replace the radiotelegraph as the required installation with the GMDSS—an automated ship-shore distress and safety radio communications system that relies on satellites and advanced terrestrial systems. Accordingly, in the Report and

Order in PR Docket No. 90-480, 57 FR 9063 (March 16, 1992), the Commission adopted rules implementing the new international GMDSS requirements in Part 80 of the Rules. Under the rules, vessels were required to meet certain minimum equipment-carriage implementation dates and were given the option to fully comply with the GMDSS prior to the February 1, 1999 international deadline. The Report and Order, however, did not relieve the requirement for compulsory vessels carrying GMDSS equipment from Section 351's requirement to carry radiotelegraph installations. Thus, compulsory vessels complying with the implementation dates, as well as vessels in full compliance prior to the international deadline, were required to carry components of two distinct safety systems, each with designated radio operators.

2. Section 206 of the Telecommunications Act of 1996 eliminates the radiotelegraph carriage requirement for each GMDSS-equipped vessel, so long as the U.S. Coast Guard determines that each vessel has the GMDSS equipment installed and in good working condition. Thus, this Order provides a general exemption from the radiotelegraph requirements of part II of title III of the Communications Act for GMDSS-equipped vessels that obtain a Safety Certificate or endorsement from the Commission or its designee. The U.S. Coast Guard has informed the Commission that it intends to interpret the Safety Certificate or endorsement as prima facie evidence that each vessel has the GMDSS equipment installed and in good working condition.

3. This rule is necessary in order to make our rules consistent with the requirements of the 1996 Telecommunications Act. Additionally, this action reduces regulatory burdens on vessel owners and eliminates economic disincentives associated with the installation of GMDSS equipment prior to the international deadline. Further, this action increases safety of life at sea by ensuring that reliable distress alerting and communications equipment, compatible with that of the international shipping fleet, may be installed on large oceangoing vessels.

5. This Order is issued under the authority of sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r).

List of Subjects in 47 CFR Part 80

Communications equipment, Marine Safety, Radio, Telegraph, Vessels.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Final Rule

Part 80 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

PART 80—STATIONS IN THE MARITIME SERVICES

1. The authority citation for Part 80 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

2. Section 80.836 is amended by revising paragraph (c), redesignating paragraph (d) as paragraph (e), and adding new paragraph (d) to read as follows:

§ 80.836 General exemptions.

* * * * *

(c) Prior to February 1, 1999, cargo ships of 1600 gross tons and upward are exempt from the radiotelegraph requirements of Part II of Title III of the Communications Act, if the following criteria are met:

(1) The ship operates on domestic voyages only. For purposes of this paragraph, the term domestic voyages includes ports in Alaska, U.S. possessions in the Caribbean, and along the coasts of the 48 contiguous states, so long as the vessel does not make port at a foreign destination;

(2) The routes of the voyage are never more than 150 nautical miles from the nearest land; and,

(3) The ship complies fully with all of the following conditions. The ship must:

(i) Be equipped with a satellite ship earth station providing both voice and telex, which has been type accepted for GMDSS use;

(ii) Be equipped with a VHF and MF radiotelephone installation which complies fully with subpart R of this part and has the additional capability of operating on the HF frequencies listed in § 80.369(b) for distress and safety communications (this capability may be added to the MF radiotelephone installation);

(iii) Be equipped with a narrow-band direct-printing radiotelegraph system with SITOR meeting the requirements of § 80.219;

(iv) Be equipped with at least two VHF transceivers capable of being powered by the reserve power supply (one of the VHF transceivers may be the

VHF required by paragraph (c)(3)(ii) of this section);

(v) Be equipped with a Category 1, 406 MHz EPIRB meeting the requirements of § 80.1061;

(vi) Be equipped with a NAVTEX receiver meeting the requirements of § 80.1101(c)(1);

(vii) Be equipped with three two-way VHF radiotelephone apparatus and two radar transponders in accordance with § 80.1095;

(viii) In addition to the main power source, be equipped with an emergency power source which complies with all applicable rules and regulations of the U.S. Coast Guard (the satellite earth station, the narrow-band direct-printing equipment and the 500 kHz autoalarm receiver must be capable of being powered by the main and emergency power sources);

(ix) Be equipped with a 500 kHz autoalarm receiver and a means of recording or decoding any distress signal received for relay to the Coast Guard or a public coast station;

(x) Participate in the AMVER system when on voyages of more than twenty-four hours and have the capability of operating on at least four of the AMVER HF duplex channels;

(xi) Carry at least one licensed operator to operate and maintain all the ship's distress and safety radio communications equipment in accordance with §§ 80.159(c) and 80.169; and,

(xii) Maintain a continuous watch on 2182 kHz and 156.8 MHz, in accordance with § 80.305(b), when navigated.

(d) Subject to a determination by the United States Coast Guard pursuant to Public Law No. 104-104, 110 Stat. 56 (1996) at Section 206, each U.S. passenger vessel and each U.S. cargo vessel of 1,600 gross tons and upward is exempt from the radiotelegraph provisions of part II of title III of the Communications Act, provided that the vessel complies fully with the requirements for the Global Maritime Distress & Safety System (GMDSS) contained in subpart W of this part and obtains either a Safety Certificate or endorsement as described in § 80.1067.

Note to paragraph (d): In a letter to the Commission, dated March 13, 1996, the United States Coast Guard noted that it may rely on the Safety Certificate or endorsement described in § 80.1067 as prima facie evidence that the GMDSS has been installed and found to be operating properly. The Coast Guard also stated that it retains the authority for ensuring overall vessel safety and compliance with all applicable domestic

and international laws, regulations and treaties.

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[FR Doc. 96-10851 Filed 5-1-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96-21; Notice 01]

RIN 2127-AF68

Federal Motor Vehicle Safety Standards; Seat Belt Assembly Anchorages

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This rule deletes two owner's manual requirements in Standard No. 210, "Seat Belt Anchorages." Standard No. 210 requires that manufacturers include a diagram in their owner's manuals showing the location of any shoulder belt anchorages required by the standard, if the vehicle is not equipped with shoulder belts at those locations. Standard No. 210 also requires the inclusion of owner's manual information concerning the use and the installation of child safety seats in vehicles equipped with an automatic belt at the right front outboard seating position, if the belt cannot be used to secure a child seat. NHTSA believes it is appropriate to delete these requirements because they are or soon will be obsolete.

DATES: Effective Dates: The removal of paragraph S6(c) of § 571.210 is effective June 3, 1996. The removal of S7 of § 571.210 is effective September 1, 1998.

Petition Date: Any petitions for reconsideration must be received by NHTSA no later than June 17, 1996.

ADDRESS: Any petitions for reconsideration should refer to the docket and notice number of this notice and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590:

For non-legal issues: Clarke B. Harper, Office of Crashworthiness Standards, NPS-11, telephone (202) 366-4916, facsimile (202) 366-4329, electronic mail "charper@nhtsa.dot.gov".

For legal issues: Mary Versailles, Office of the Chief Counsel, NCC-20, telephone (202) 366-2992, facsimile (202) 366-3820, electronic mail "mversailles@nhtsa.dot.gov".

SUPPLEMENTARY INFORMATION: Pursuant to the March 4, 1995 directive, "Regulatory Reinvention Initiative," from the President to the heads of departments and agencies, NHTSA undertook a review of all its regulations and directives. During the course of this review, the agency identified several requirements and regulations that are potential candidates for amendment or rescission, including two owner's manual information requirements in Standard No. 210, "Seat Belt Assembly Anchorages."

NHTSA believes that these requirements should be deleted because they are or soon will be obsolete. The first requirement is in paragraph S6(c), which requires that vehicle manufacturers include a diagram in their vehicle owner's manuals showing the location of any shoulder belt anchorages required by the standard, if their vehicles are not equipped with shoulder belts at those locations. This requirement was intended to ensure that consumers were aware of the existence of beltless anchorages in rear seating locations. The other requirement is in paragraph S7, which requires the inclusion of owner's manual information concerning the use and the installation of child safety seats in vehicles equipped with an automatic belt at the right front outboard seating position, if the belt cannot be used to secure a child seat.

Paragraph S6(c) is currently not applicable to any vehicle. Since September 1, 1991, all rear seating positions which are required by Standard No. 210 to have a shoulder belt anchorage are also required by Standard No. 208, "Occupant Crash Protection," to have shoulder belts installed. As there are no longer any required, but unused, rear outboard shoulder belt anchorages, the agency is deleting this requirement.

With regard to the requirements of S7 of Standard No. 210 requiring information concerning installation of child restraints in a seating position with an automatic belt, several recent amendments to Standard No. 208 will make this owner's manual requirement obsolete after September 1, 1998. First, a final rule published on September 2, 1993, requires an air bag and manual belt at the right front outboard seating position in passenger cars and light trucks by September 1, 1998 (58 FR 46551). After that date, automatic belts

will not be installed in those seating positions. Second, a final rule published on October 13, 1993, requires manual belts installed at any seating position other than the driver's position in vehicles manufactured after September 1, 1995, to be capable of tightly securing a child safety seat without the necessity of the user's attaching any device to the safety belt system (58 FR 52922). This "lockability" requirement will also be described in the owners manual. The combination of the manual belt requirement and the lockability requirement will make Section 7 of 210 obsolete after September 1, 1998.

NHTSA is not soliciting public comment on these amendments. NHTSA finds for good cause that notice and opportunity to comment are unnecessary because the amendments are technical in nature. They delete requirements addressing circumstances that have been or will be eliminated by other requirements in the Federal Motor Vehicle Safety Standards.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." This action has been determined to be not "significant" under the Department of Transportation's regulatory policies and procedures. Because this rule deletes obsolete provisions, no cost or saving will result.

Regulatory Flexibility Act: NHTSA has also considered the impacts of this rule under the Regulatory Flexibility Act. I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. As explained above, NHTSA does not anticipate any economic impact from this rulemaking action.

Paperwork Reduction Act: In accordance with the Paperwork Reduction Act of 1980 (P.L. 96-511), there are no requirements for information collection associated with this rule.

National Environmental Policy Act: NHTSA has also analyzed this rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

Executive Order 12612 (Federalism): NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and