

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. § 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Motors of Kingsville, Maryland ("J.K.") (Registered Importer 90-006) has petitioned NHTSA to decide whether 1988 Jaguar XJ6 Sovereign passenger cars are eligible for importation into the United States. The vehicle which J.K. believes is substantially similar is the 1988 Jaguar XJ6 Sovereign that was manufactured for importation into, and sale in, the United States and certified by its manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared the non-U.S. certified 1988 Jaguar XJ6 Sovereign to its U.S. certified counterpart, and found the two vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

J.K. submitted information with its petition intended to demonstrate that the non-U.S. certified 1988 Jaguar XJ6 Sovereign, as originally manufactured, conforms to many Federal motor vehicle safety standards in the same manner as its U.S. certified counterpart, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S. certified 1988 Jaguar XJ6 Sovereign is identical to its U.S. certified counterpart with respect to

compliance with Standard Nos. 102 *Transmission Shift Lever Sequence*, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 109 *New Pneumatic Tires*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Retention*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

Additionally, the petitioner states that the non-U.S. certified 1988 Jaguar XJ6 Sovereign complies with the Bumper Standard found in 49 CFR part 581.

Petitioner also contends that the vehicle is capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) Substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) replacement of the speedometer with a unit calibrated in miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of U.S.-model sealed headlamps and front sidemarker lights; (b) installation of U.S.-model taillamp assemblies which incorporate rear sidemarker lights; (c) installation of a U.S.-model high mounted stop lamp.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard.

Standard No. 111 *Rearview Mirror*: replacement of the passenger side rearview mirror with a U.S.-model component.

Standard No. 114 *Theft Protection*: installation of a warning buzzer microswitch in the steering lock assembly and a warning buzzer.

Standard No. 118 *Power Window Systems*: installation of a relay in the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 208 *Occupant Crash Protection*: installation of a seat belt warning buzzer, wired to the seat belt latch. The petitioner states that the non-U.S. certified 1988 Jaguar XJ6 Sovereign is equipped with seat belts and warning lamps identical to those found on its U.S.-certified counterpart.

The petitioner also states that a vehicle identification number plate must be affixed to the vehicle near the left windshield post and a reference and certification label must be affixed in the left front door post area to meet the requirements of 49 CFR part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: May 20, 1997.

Marilynn Jacobs,

Director, Office of Vehicle Safety Compliance.
[FR Doc. 97-13637 Filed 5-22-97; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33393]

Coach USA, Inc.—Control Exemption—America Charters, Ltd.

AGENCY: Surface Transportation Board.

ACTION: Notice of filing of petition for exemption.

SUMMARY: Coach USA, Inc. (Coach), a noncarrier that controls 27 motor passenger carriers, seeks an exemption, under 49 U.S.C. 13541, from the prior approval requirements of 49 U.S.C. 14303(a)(5), to acquire control of America Charters, Ltd. (America Charters), a motor passenger carrier.

DATES: Comments must be filed by June 23, 1997. Petitioner may file a reply by July 2, 1997.

ADDRESSES: Send an original and 10 copies of comments referring to STB Finance Docket No. 33393 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423—

0001. Also, send one copy of comments to petitioner's representatives: Betty Jo Christian and David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Ave., N.W., Washington, DC 20036.

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

SUPPLEMENTARY INFORMATION: Coach seeks an exemption to acquire stock control over America Charters (MC-153814), a motor passenger carrier that operates in interstate and intrastate commerce.¹ Coach states that America Charters, which provides exclusively charter and special bus services, has a relatively small market share in the markets in which it operates.

Coach currently controls 27 motor passenger carriers.² Coach states that

¹ The stock of America Charters was placed in an independent voting trust to avoid any unlawful control pending disposition of this proceeding.

² In 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), Coach was exempted from the prior approval requirements of 49 U.S.C. 14303(a)(4) to acquire control of 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).

In Coach USA, Inc.—Control Exemption—American Sightseeing Tours, Inc.; California Charters, Inc.; Texas Bus Lines, Inc.; Gulf Coast Transportation, Inc.; and K-T Contract Services, Inc., STB Finance Docket No. 33073 (STB served Nov. 8, 1996), Coach was exempted from the prior approval requirements of 49 U.S.C. 14303(a)(5) to acquire control of American Sightseeing Tours, Inc., d/b/a ASTI (MC-252353), California Charters, Inc. (MC-241211), Texas Bus Lines, Inc. (MC-37640), Gulf Coast Transportation, Inc., d/b/a Gray Line Tours of Houston (MC-201397), and K-T Contract Services, Inc. (MC-218583).

In Coach USA, Inc.—Control Exemption—Progressive Transportation, Inc.; Powder River Transportation Services, Inc.; Worthen Van Service, Inc.; and PCSTC, Inc., STB Finance Docket No. 33343 (STB served May 15, 1997), Coach was exempted from the prior approval requirements of 49 U.S.C. 14303(a)(5) to acquire control of Progressive Transportation Services, Inc. (MC-247074), Powder River Transportation Services, Inc. (MC-161531), Worthen Van Service, Inc. (MC-142573), and PCSTC, Inc., d/b/a Pacific Coast Sightseeing/Gray Line of Anaheim-Los Angeles (MC-184852).

In Coach USA, Inc.—Control Exemption—Airport Bus of Bakersfield; Antelope Valley Bus, Inc.; Desert Stage Lines, Inc.; Bayou City Coaches, Inc.; Kerrville Bus Company, Inc.; Red & Tan Charter, Inc.; Red & Tan Tours, Inc.; and Rockland Coaches, Inc., STB Finance Docket No. 33377 (STB served May 15, 1977), Coach was exempted from the prior approval requirements of 49 U.S.C. 14303(a)(5) to acquire control of Airport Bus of Bakersfield (MC-163191), Antelope Valley Bus, Inc. (MC-125057),

America Charters does not compete with any of the bus companies controlled by Coach and, therefore, that its acquisition of control of America Charters will have no significant impact on competition.

Following the acquisition of control, America Charters will continue to operate under its own name and in the same basic manner as before. Coach states that it will provide certain services to America Charters, including legal and accounting functions and coordinated purchasing services. In addition, Coach states that it will facilitate vehicle sharing arrangements and provide coordinated driver training services. Coach projects the annual efficiency savings generated by the proposed acquisition of control of America Charters to be \$125,000, representing primarily interest, insurance and vehicle equipment cost savings. Over the long term, Coach states that it will provide centralized marketing and reservation services for the bus firms that it controls, thereby further enhancing the benefits resulting from the transaction. Coach submits that all collective bargaining agreements will be honored, that employee benefits will improve, and that no change in management personnel is planned. Additional information may be obtained from petitioner's representatives.

A copy of this notice will be served on the Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, N.W., Washington, DC 20530.

Decided: May 15, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary

[FR Doc. 97-13634 Filed 5-22-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB No. MC-F-20909]

East West Resort Express, LLC— Control—Resort Express, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving finance application.

SUMMARY: East West Resort Express, LLC (East West), a noncarrier in control of Colorado Mountain Express (CME), and

Desert Stage Lines, Inc. (MC-140919), Bayou City Coaches, Inc. (MC-245246), Kerrville Bus Company, Inc. (MC-27530), Red & Tan Charter, Inc. (MC-204842), Red and Tan Tours (MC-162174), and Rockland Coaches, Inc. (MC-29890).

Resort Express, Inc. (REI) jointly seek approval under 49 U.S.C. 14303(a)(5) for East West to acquire control, through purchase, of the assets and properties of REI, together with certain leases of motor vehicle equipment, and to assume certain liabilities of REI. In addition, Harry H. Frampton, III, John C. Goff, Gerald W. Haddock, and Charles I. Madison (collectively, the Control Persons) have joined in the application for approval under 49 U.S.C. 14303(a)(5) as persons in control, either through ownership, management, or the right to control management, of both REI and CME. Persons wishing to oppose the transaction must follow the rules at 49 CFR 1182, subpart B. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. If opposing comments are timely filed, this tentative grant of authority will be deemed vacated, and the Board will consider the comments and any replies and will issue a further decision on the application.

DATES: Unless opposing comments are filed, this notice will be effective July 7, 1997. Comments are due by July 7, 1997 and, if any are filed, applicants may reply by July 22, 1997.

ADDRESSES: Send an original and 10 copies of comments referring to STB No. MC-F-20909 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, Room 713, 1925 K Street, N.W., Washington, DC 20423-0001. Also, send one copy of comments to applicants' representatives: Thomas J. Burke, Jr., 1625 Broadway, Suite 1600, Denver, CO 80202; and Lee E. Lucero, 651 Chambers Road, Suite 203, Aurora, CO 80011-7127.

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

SUPPLEMENTARY INFORMATION: Approval of the transaction is required under 49 U.S.C. 14303(a)(5) because East West controls CME, a motor common carrier, through its relationship to the Control Persons and its affiliations with following entities: East West Resorts Transportation, LLC, East West Resorts Transportation II, LLC, HF Holding Corp., Crescent Development Management Corp., and East West Resorts Management II, LLC.

REI (MC-181367), a motor common carrier of passengers, holds regular route interstate and intrastate operating rights authorizing operations between: (1) Denver International Airport at or near Denver, CO, and Breckenridge, CO, and various Colorado ski resorts; (2) Copper Mountain ski resort and Avon, CO; and (3) Cheyenne, WY, and Albuquerque,