

There have also been considerable arguments that the automatic seat belt system, *as utilized*, only gives an appearance of protection. Many occupants of the passenger seat will not use the manual lap belt, and thus only be protected by the automatic torso belt. In a crash, the protection offered by this two-point system is questionable.

The automatic belts may also be attached to the door. In a crash, the door latch may fail, yielding no protection at all to the passenger.

The passive restraint requirement went into effect when too few states adopted mandatory seat belt laws. These laws have now been adopted in all states but one. All of the affected vehicles were sold in mandatory seat belt usage states. It is against the law in these states to be unbelted. The installation of an automatic seat belt would therefore be redundant, since the passengers are required to be belted.

The subject vehicles are 1994 and 1995 model year vehicles. Therefore, they are at least four years old and have completed at least half of their useful life. This greatly reduces the addition to safety, that might result from the installation of passenger side passive restraints.

For these reasons, the installation of a passive restraint in these few vehicles involved will not result in a significant addition to vehicle safety.

To the best of the importers' knowledge, there have been no accidents, injuries, fatalities, or warranty claims related to the noncompliance.

Interested persons are invited to submit written data, views and arguments on the petition described above. Comments should refer to the Docket Number and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent practicable. When the application is granted or denied, the Notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: March 13, 2000.  
(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: February 7, 2000.

**Stephen R. Kratzke,**  
*Acting Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-3193 Filed 2-10-00; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Section 5a Application No. 61 (Sub-No. 6)]

#### National Classification Committee—Agreement

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for proposals and comments.

**SUMMARY:** The Surface Transportation Board (Board) seeks suggested methodologies for increasing shipper participation in the classification process, as required by the Board's decisions in *National Classification Committee—Agreement*, Section 5a Application No. 61 (STB served Dec. 18, 1998, and February 11, 2000).

**DATES:** Opening proposals and comments are due April 11, 2000. Reply comments are due May 11, 2000.

Rebuttals are due June 12, 2000.<sup>1</sup>

**ADDRESSES:** Send an original and 10 copies of proposals, comments, and replies, referring to "Section 5a Application No. 61 (Sub-No. 6)" to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600.

[TDD for the hearing impaired: 1-800-877-8339.]

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decisions, which are available on the Board's website at "WWW.STB.DOT.GOV".

Decided: February 4, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 00-3239 Filed 2-10-00; 8:45 am]

**BILLING CODE 4915-00-P**

<sup>1</sup> Arguing that the instant proceeding is essentially an investigation, NCC has filed a motion, to which replies were filed by The National Industrial Transportation League and by the Health and Personal Care Distribution Conference, Inc. and National Small Shipments Traffic Conference, Inc., asking for a procedural schedule under which it will be permitted to open and close the record. We understand why NCC might want to open and close in order to seek to limit the debate to whatever proposal it decides to file at the outset. But we have already held extensive proceedings, in which NCC has made several filings, and in which we have already determined that NCC's procedures should be modified. As a result, we believe that parties in addition to NCC should have an opportunity to present their proposals as an initial matter. We are, however, providing all parties with an opportunity to respond to any initial proposals or comments made, and we are providing each party that makes an initial filing with a further opportunity to present rebuttal evidence and argument in response to any comments addressing its initial filing.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Section 5a Application No. 1 (Sub-No. 10)]

#### Household Goods Carriers Bureau Committee—Agreement

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for comments.

**SUMMARY:** The Surface Transportation Board (Board) requests comments on whether approval of the rate bureau agreement of the Household Goods Carriers Bureau Committee (HGB) ought to be conditioned on reductions in "benchmark" rates to prevailing levels of market based rates.

**DATES:** Comments are due by March 27, 2000; replies are due March 13, 2000.

**ADDRESSES:** Send an original and 10 copies of comments and replies, referring to "Section 5a Application No. 1 (Sub-No. 10)" to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

#### FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 565-1600.

[TDD for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** In our decisions in *EC-MAC Motor Carriers Service Association, Inc., et al.*, Sec. 5a Application No. 118 (Amendment No. 1), *et al.* (STB served Dec. 18, 1998, and February 11, 2000) (*EC-MAC*) (which are available on the Board's website at "WWW.STB.DOT.GOV"), we conditioned renewal of motor carrier rate bureau agreements under 49 U.S.C. 13703 on reductions of collective rates to prevailing competitive rate levels. In its renewal application, HGB does not address how the concerns expressed in *EC-MAC* apply to the traffic carried by its members. It does, however, appear to us that HGB serves as a forum in which members collectively set benchmark rates, from which the actual rates paid by many householders are discounted. Therefore, before acting on HGB's application, we are seeking comment on whether any immunity granted to HGB ought to be conditioned on reductions in benchmark rates to prevailing levels of market based rates and, if so, methodologies that can be used to adjust the collectively set rates to market-based levels.

Decided: February 4, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-3238 Filed 2-10-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Sec. 5a Application No. 118 (Sub-No. 2), et al.]

#### EC-MAC Motor Carriers Service Association, Inc., et al.<sup>1</sup>

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for proposals and comments.

**SUMMARY:** The Surface Transportation Board (Board) seeks suggested methodologies that the motor carrier rate bureaus that have applied for renewal of their operating authority can use to adjust the collective rates established by their bureaus to prevailing levels of market based rates, as required by the Board's decisions in *EC-MAC Motor Carriers Service Association, Inc., et al.*, Sec. 5a Application No. 118 (Amendment No. 1), et al. (STB served Dec. 18, 1998, and Feb. 11, 2000).

**DATES:** Opening proposals or comments are due April 11, 2000. Reply comments are due May 11, 2000.

**ADDRESSES:** Send an original and 10 copies of proposals, comments, and replies, referring to "Section 5a Application No. 118 (Sub-No. 2), et al.," to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600.

<sup>1</sup> This proceeding embraces the following other motor carrier rate bureau renewal applications: *Pacific Inland Tariff Bureau, Inc.—Renewal of Agreement*, Section 5a Application No. 22 (Sub-No. 8); *The New England Motor Rate Bureau, Inc.*, Section 5a Application No. 25 (Sub-No. 9); *Middlewest Motor Freight Bureau, Inc.—Renewal of Agreement*, Section 5a Application No. 34 (Sub-No. 10); *Niagara Frontier Tariff Bureau, Inc.*, Section 5a Application No. 45 (Sub-No. 16); *Southern Motor Carriers Rate Conference, Inc.*, Section 5a Application No. 46 (Sub-No. 21); *Carriers Traffic Association—Agreement*, Section 5a Application No. 55 (Amendment No. 2); *Machinery Haulers Association Inc.—Agreement*, Section 5a Application No. 58 (Sub-No. 4); *Rocky Mountain Motor Tariff Bureau, Inc.*, Section 5a Application No. 60 (Sub-No. 11); *Nationwide Bulk Trucking Association, Inc.—Agreement*, Section 5a Application No. 63 (Sub-No. 4); *Western Motor Tariff Bureau, Inc.—Agreement*, Section 5a Application No. 70 (Sub-No. 12); and *Willamette Tariff Bureau, Inc.—Renewal of Agreement*, STB Section 5a Agreement No. 116 (Sub-No. 1).

[TDD for the hearing impaired: 1-800-877-8338.]

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decisions, which are available on our website at "WWW.STB.DOT.GOV."

Decided: February 4, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-3136 Filed 2-10-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Section 5a Application No. 9 (Amendment No. 8)]

#### Application of the National Motor Bus Traffic Association, Inc., for Extended Approval of its Conformed Agreement

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for comments.

**SUMMARY:** The Surface Transportation Board (Board) seeks comments on whether the Board should approve the application of the National Motor Bus Traffic Association, Inc. (NBTA), for extended approval of its rate bureau agreement.

**DATES:** Opening comments are due March 13, 2000. Reply comments are due March 27, 2000.

**ADDRESSES:** Send an original and 10 copies of comments and replies, referring to "Sec. 5a Application No. 9 (Amendment No. 8)," to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600.

[TDD for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** In our decision and notice issued today in *EC-MAC Motor Carriers Service Association, Inc., et al.*, Section 5a Application No. 118 (Sub-No. 2), et al. (*EC-MAC*) (which are available on the Board's website at "WWW.STB.DOT.GOV"), we expressed concern with the way in which motor freight carrier rate bureaus collectively set "benchmark" class rates, from which discount rates may be offered to many, but not all, shippers. We indicated our intent to approve the rate bureau agreements of the motor freight bureaus only if class rates were reduced to market-based levels, and we requested

public input on ways in which to achieve our objective.

NBTA has asked to have its agreement approved. It states that, while it does file tariffs on behalf of its member carriers, its members express their rates in dollars and cents, and not as discounts off of collectively-established bureau rates. Thus, it states that the issues over which we expressed concern in the *EC-MAC* proceeding should not be factors in our consideration of its agreement.

We tend to agree with NBTA that the issues about which we raised concerns in *EC-MAC* should not be of concern here. Nonetheless, any person who believes that we should initiate further proceedings of the sort that we are pursuing in *EC-MAC*, or that the agreement should be disapproved or conditioned for other reasons may file comments.

Decided: February 4, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-3137 Filed 2-10-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received requests from Sidley & Austin on behalf of Norfolk Southern Corporation and Norfolk Southern Railway Company (WB568—1/3/2000), from Stephen Brown (WB569—2/1/2000), and from Sidley & Austin on behalf of Canadian Pacific Railway Company, Soo Line Railroad Company, St. Lawrence and Hudson Railway Co. Limited, and Delaware and Hudson Railway Co., Inc. (WB471-5—February 4, 2000) for permission to use certain data from the Board's Carload Waybill Samples. A copy of the requests may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.