| | Fee |
|---|---|
| Showing to whom and when delivered | .25 |

NOTE: The corresponding Postal Manual section is 162.23.

## PART 163—C.O.D.

Section 163.1 *Fees (in addition to postage)*, is amended to read as follows:

**§ 163.1 Fees (in addition to postage).**

| *Amount to be collected or insurance coverage desired* | *C.O.D. fee* |
|---|---|
| $0.01 to $10 | $0.70 |
| $10.01 to $25 | .80 |
| $25.01 to $50 | .90 |
| $50.01 to $100 | 1.00 |
| $100.01 to $200 | 1.10 |
| Restricted delivery | .50 |
| Notice of nondelivery | .10 |
| Alteration of charges or delivery | .35 |

NOTE: The corresponding Postal Manual section is 163.1.

## PART 166—SPECIAL DELIVERY

In § 166.2 *Payment for special delivery*, paragraph (a) is amended to read as follows:

**§ 166.2 Payment for special delivery.**

(a) *Special delivery fees.*

| Class of mail | Weight: Not more than 2 lbs. | Weight: More than 2 lbs. but not more than 10 lbs. | Weight: More than 10 lbs. |
|---|---|---|---|
| First class, air, and priority mail | $0.45 | $0.60 | $0.75 |
| All other classes | .65 | .75 | .90 |

NOTE: The corresponding Postal Manual section is 166.21.

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## PART 168—CERTIFIED MAIL

Section 168.3 *Fees*, is amended to read as follows:

**§ 168.3 Fees.**

| | |
|---|---|
| Fee in addition to postage | $0.30 |
| Restricted delivery | .50 |
| Return Receipts: | |
| Requested at time of mailing: | |
| Showing to whom and when delivered | .15 |
| Showing to whom, when, and address where delivered | .35 |
| Requested after mailing: | |
| Showing to whom and when delivered | .25 |

NOTE: The corresponding Postal Manual section is 168.3.

## PART 242—REGISTRATION

1. Section 242.3 *Fees*, is amended to read as follows:

**§ 242.3 Fees.**

For Postal Union mail, the fee is 80 cents. The same fee applies to parcel post. See country items in the appendix of this subchapter. (See § 272.2 of this chapter for indemnity provisions.)

NOTE: The corresponding Postal Manual section is 242.3.

2. In § 242.5 *Return receipts*, paragraph (a)(1) would be amended to read as follows:

**§ 242.5 Return receipts.**

(a) *Requested at time of mailing.* (1) Fee: 15 cents. If the mailer desires that his return receipt be sent back by airmail, the article must be prepaid an additional fee equal to the airmail postage on a single post card to the country of destination.

NOTE: The corresponding Postal Manual section is 242.511.

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## PART 245—SPECIAL DELIVERY (EXPRESS)

In § 245.3 *Payment*, paragraph (a) is amended to read as follows:

**§ 245.3 Payment.**

(a) *Fees.*

| Class of mail | Weight: Not more than 2 lbs. | Weight: More than 2 lbs. but not more than 10 lbs. | Weight: More than 10 lbs. |
|---|---|---|---|
| Letters, letter packages, post cards, and airmail other articles | 0.45 | $0.60 | $0.75 |
| Surface other articles | .65 | .75 | .90 |

NOTE: The corresponding Postal Manual section is 245.31.

* * * * *

(5 U.S.C. 301, 39 U.S.C. 501, 505, 507)

DAVID A. NELSON,
*General Counsel.*

JUNE 10, 1969.

[F.R. Doc. 69-6981; Filed, June 12, 1969; 8:45 a.m.]

# Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

## Chapter 5A—Federal Supply Service, General Services Administration

## PART 5A-2—PROCUREMENT BY FORMAL ADVERTISING

### Protests Against Award

The table of contents for Part 5A-2 is amended to add the following new entry:

Sec.
5A-2.407-8 Protests against award.

### Subpart 5A-2.4—Opening of Bids and Award of Contract

Section 5A-2.407-8 is added to require that reports on protests received from the General Accounting Office shall include a statement as to the extent to which delay in award may result in significant supply difficulties.

**§ 5A-2.407-8 Protests against award.**

(a) Reports to the General Accounting Office (GAO) on FSS cases involving protests received through GAO are prepared by the Procurement Division, Office of General Counsel (LP), and are submitted for concurrence to the Assistant Commissioner for Procurement (FP) or the Assistant Commissioner for Automated Data Management Services (FT), as appropriate. Before concurring, the Assistant Commissioners shall review the decision to delay or to proceed with an award reflected in the statement to be furnished in accordance with paragraph (c) of this section.

(b) When preparing supporting information on protests for submission to the Procurement Division, Office of the General Counsel (LP), Contracting Officers shall ascertain the extent to which delay in award may result in significant supply difficulties.

(c) A statement dealing with the urgency of need, prepared by the Contracting Officer and signed by the Regional Director, FSS, or Director, Procurement Operations Division (FPN), or Director, Special Programs Division (FPA), or Director, ADP Procurement Division (FTP), as appropriate, shall be included with the information submitted to LP.

(1) If the need is not urgent, the statement shall include an estimate of the length of time an award may be delayed without inconvenience.

(2) If the need is urgent, the statement shall set forth the basis for that conclusion.

(3) Where the urgency is so great as to not admit of the delay involved in the preparation of a formal report, telephonic clearance may be obtained by contacting the Assistant General Counsel, Procurement Division, Office of General Counsel.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5-1.101(c))

*Effective date.* These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: June 4, 1969.

L. E. SPANGLER,
*Acting Commissioner, Federal Supply Service.*

[F.R. Doc. 69-6982; Filed, June 12, 1969; 8:46 a.m.]

# Title 49—TRANSPORTATION

## Chapter III—Federal Highway Administration, Department of Transportation

[Docket No. 1-21]

## PART 371—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

### Motor Vehicle Safety Standard No. 114; Theft Protection—Passenger Cars

The Administrator is amending Motor Vehicle Safety Standard No. 114, Theft

Protection—Passenger Cars, for the purpose of making several clarifying changes to it. The standard was issued on April 24, 1968 (33 F.R. 6471), and becomes effective on January 1, 1970. After the standard was issued, the Administrator received a number of requests for interpretations or clarifying amendments. While each of the requests discussed below could have been disposed of by interpretation of the present standard, the Administrator has chosen to change the text of the standard in order to ensure that it is clear on its face.

Paragraph S4.1(b) of the standard, as adopted, requires each passenger car to have a key locking system that, with the key removed, will prevent "either steering or self-mobility of the car or both." Several persons pointed out that a literal interpretation of this provision would require a manufacturer who seeks to comply with the self-mobility requirement to install a system that prevents both forward and rearward self-mobility. In view of the improbability of a successful theft of a car capable only of rearward self-mobility, the Administrator agrees that such a literal interpretation would not be consistent with the general purpose of the standard. Therefore, paragraph S4.1(b) is being clarified by inserting the word "forward" before the word "self-mobility".

Several persons sought clarification of paragraph S4.4, which requires activation of a warning to the driver whenever the key has been left in the locking system and the driver's door is opened. The purpose of this provision is to prevent, as far as possible, drivers from inadvertently leaving the key in the ignition lock when the car is unoccupied. As stated in the preamble to the standard when it was adopted, "the standard requires each car to be equipped with a device to remind drivers to remove the key when leaving the car".

It was pointed out that a literal reading of the phrase "left in the locking system" would require activation of the warning regardless of the extent to which the key is inserted in the lock, even if the driver deliberately chooses to withdraw it partially from the lock. These comments argued that it was practically impossible to design a warning system that would function if, for example, the key is so far removed as to be dangling from the locking mechanism. It was the purpose of this provision to require activation of the warning device whenever the key is left in the lock in a position from which the lock can be turned. Once the driver has withdrawn the key beyond the position, he is presumably aware of the location of the key, and no warning need be given to him. Paragraph S4.4 is being amended to clarify this intent.

Paragraph S4.4 is also being amended to avoid the possibility of an interpretation that would prohibit use of a type of locking system and steering lock that has, in the past, been a successful deterrent against theft. In this system, the warning to the driver works in conjunction with the activation of the steering lock device. The steering lock is not deactivated when the key, after having been withdrawn from the ignition lock, is simply reinserted in the locking system. Nor is the warning to the driver actuated until the key is turned so that the steering lock is deactivated. As noted above, the purpose of paragraph S4.4 is not to guarantee that drivers will remove the key upon leaving the car; rather, it seeks to insure that drivers do not inadvertently leave their keys in ignition locks. In all but a very small number of cases, a driver who has withdrawn and then reinserted the key cannot be said to have inadvertently left it in the locking system when he thereafter exits from the car. Therefore, paragraph S4.4 is being amended to make it clear that the warning device need not operate after the key has been removed and reinserted in the locking system without turning the key.

Finally, several persons pointed out that the language of paragraph S4.4 would require activation of the warning device even if the locking system is in the "on" or "start" position. A positive physical act is usually required to bring the system to the "on" position or the "start" position. Moreover, a forgetful driver would not normally leave the key in the "on" position if he opened his door with the intent of leaving the car unattended. In most cases, it is impossible for him to leave the key in the "start" position without physically holding it in that position. Hence, no valid purpose would be served by requiring the warning to be activated when the locking system is in either of those positions, and the standard is being amended to omit any implication that such a requirement is imposed.

Since these changes are clarifying and interpretive in nature, and since they impose no additional burden on any person, I find that notice and public procedure thereon is unnecessary.

In consideration of the foregoing, § 371.21 of Part 371, Federal Motor Vehicle Safety Standards, Motor Vehicle Safety Standard No. 114 (33 F.R. 6741) is amended, effective January 1, 1970, as set forth below.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.4(c))

Issued on June 9, 1969.

F. C. TURNER,
*Federal Highway Administrator.*

1. Paragraph S4.1 is amended to read as follows:

S4.1 Each passenger car shall have a key-locking system that, whenever the key is removed will prevent—

(a) Normal activation of the car's engine or other main source of motive power; and

(b) Either steering or forward self-mobility of the car, or both.

2. Paragraph S4.4 is amended to read as follows:

S4.4 A warning to the driver shall be activated whenever the key required by S4.1 has been left in the locking system and the driver's door is opened. The warning to the driver need not operate—

(a) After the key has been manually withdrawn to a position from which it may not be turned;

(b) When the key-locking system is in the "on" or "start" position; or

(c) After the key has been inserted in the locking system and before it has been turned.

[F.R. Doc. 69-6993; Filed, June 12, 1969; 8:46 a.m.]

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[Docket No. MC-5; Notice 69-11]

## PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

### Tires

NOTE: The document below was inadvertently published as a Notice of Proposed Rule Making on page 9068, in the issue of Saturday, June 7, 1969.

The Federal Highway Administrator published in the FEDERAL REGISTER of June 12, 1968 (33 F.R. 8604), a notice of proposed rule making proposing amendment to § 393.75 *Tires* (formerly § 293.75), of the Motor Carrier Safety Regulations, and inviting responses from interested persons desiring to participate in the rule-making procedure. Responses from 257 persons have been received, evaluated, and given full consideration.

After studying all the comments and test data, it is concluded that tire tread groove depth is a major factor in insuring effective traction on wet surfaces and that it is in the interest of the public safety to require a minimum tread pattern groove depth for tires used on the wheels of commercial vehicles.

A number of comments submitted by truckers and retreaders argued that the proposed prohibition on the use of recapped and retreaded tires on front wheels should be deleted. These parties assert that (1) as a matter of industry practice recapped or retreaded tires are generally not used on the front wheels of commercial vehicles; and (2) in those instances where it is the practice to use recapped or retreaded tires on the front wheels the proposed prohibition would increase operating costs. The position of these parties is that the proposal is both unnecessary and unfair because, in most instances, industry voluntarily does not use recapped or retreaded tires on front wheels but those truck operators that do so would suffer an economic hardship.

The argument is also made that there is no support for the position that retreaded and recapped tires are unsafe when used on the front wheels of trucks.

It is indeed difficult to categorically state and fully support the proposition that the use of such tires on the front wheels is unsafe. On the other hand, the fact that it is the general practice not to use such tires on front wheels of trucks is certainly a strong indication that they are less safe than new tires when used in that position. The prohibition has not been included in this regulation, however, the matter is considered of great importance and is still under serious consideration and investigation.

A large number of persons involved in the retreading industry requested that regrooved tires and retreaded tires be controlled by separate regulations. The fact that the prohibition of the use of regrooved, recapped, or retreaded tires on the front wheels of buses is contained within the same section of the regulation does not indicate a lack of understanding of the substantial differences among these processes.

Section 393.75(e) of the proposed regulations spelled out specific requirements for regrooved tires used on the wheels of commercial vehicles. Because the Federal Highway Administration has issued regulations setting forth the conditions under which regroovable and regrooved tires may be sold, offered for sale, or introduced for sale or delivered for introduction into interstate commerce, 49 CFR Part 369 (34 F.R. 1149), and the requirements of § 393.75 of this regulation as amended herein apply to all tires used on the wheels of commercial vehicles, including regrooved tires, it was considered unnecessary to provide a separate subsection setting forth requirements for regrooved tires within the Motor Carrier Safety Regulations. The regulations issued as Part 369 establish criteria under which tires may be regrooved; they are not inconsistent, or in conflict, with the regulations issued herein.

In view of the above, § 393.75 of the Motor Carrier Safety Regulations (49 CFR Part 393) is amended as set forth below, effective July 1, 1969. This amendment is made under the authority of section 204 of the Interstate Commerce Act, as amended (49 U.S.C. 304), section 6, of the Department of Transportation Act (49 U.S.C. 1655), and the delegation of authority contained in § 1.4(c) of Part 1 of the regulations of the Office of the Secretary (49 CFR 1.4(c)).

§ 393.75 Tires.

(a) No motor vehicle shall be operated on any tire that has fabric exposed through the tread or sidewall.

(b) Any tire on the front wheels of a bus, truck, or truck tractor shall have a tread groove pattern depth of at least $\frac{4}{32}$ of an inch when measured at any point on a major tread groove. The measurements shall not be made where tie bars, humps, or fillets are located.

(c) Except as provided in paragraph (b) of this section, tires shall have a tread groove pattern depth of at least $\frac{2}{32}$ of an inch when measured in a major tread groove. The measurement shall not be made where tie bars, humps or fillets are located.

(d) No bus shall be operated with regrooved, recapped or retreaded tires on the front wheels.

(e) No truck or truck tractor shall be operated with regrooved tires on the front wheels which have a load carrying capacity equal to or greater than that of 8.25–20 8 ply-rating tires.

Issued in Washington, D.C., June 2, 1969.

F. C. TURNER,
*Federal Highway Administrator.*

[F.R. Doc. 69-6676; Filed, June 6, 1969; 8:45 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

### National Park Service

### [ 36 CFR Part 7 ]

### ROCKY MOUNTAIN NATIONAL PARK, COLO.

### Fishing, Trucking, Boats, Climbing, and Winter Touring

Notice is hereby given that pursuant to the authority contained in section 3 of the act of January 26, 1915 (38 Stat. 798, as amended; 16 U.S.C. 3), section 4 of the act of January 26, 1915 (38 Stat. 798, 16 U.S.C. 195), 245 DM1 (27 F.R. 6395), National Park Service Order No. 4 (31 F.R. 5769), as amended, it is proposed to revise § 7.7 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this revision is to eliminate material regulating fires, fishing, report of accidents by wrecker operators, commercial automobiles and buses, eating and drinking establishments on privately owned lands, dogs, cats, and domestic pets, boats, and sanitation in the back country, which are no longer needed in view of the provisions of Parts 2, 3, 4, and 5 of this chapter. The revision also provides an amendment to the commercial trucking regulations, and amends the required registration for climbing and winter back country trips.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections to the Superintendent, Rocky Mountain National Park, Estes Park, Colo. 80517, within 30 days of publication of this notice in the FEDERAL REGISTER.

Section 7.7 is revised to read as follows:

§ 7.7 **Rocky Mountain National Park.**

(a) *Fishing.* Bear Lake and Black Canyon Creek are closed to fishing.

(b) *Trucking.* The Superintendent may issue permits for trucking on park roads by ranchers, farmers, and business concerns located in the counties of Larimer, Boulder, and Grand, Colo., when the loads carried originate and terminate within these counties. Fees will be charged for such trucking over Trail Ridge Road as provided in § 6.4(a) of this chapter.

(c) *Boats.* (1) The operation of motorboats is prohibited on all waters of the park.

(2) All vessels are prohibited on Bear Lake.

(d) *Mountain climbing.* Registration with a park ranger is required prior to all technical mountain climbing. Upon completion of climbing, the registrant is required to check out in the manner specified by the registering official. The term "technical climbing" means climbing where technical aids such as pitons, carabiners, ropes, expansion bolts, crampons, ice axes, or other mechanical equipment is used to make the climb.

(e) *Winter back country trips.* Registration with a park ranger is required prior to winter overnight travel on foot or by use of skiis, snowshoes, or other mechanical means. Upon completion of the trip, the registrant is required to check out in the manner specified by the registering official. Calendar dates when registration is required will be determined and posted by the Superintendent.

THEODORE R. THOMPSON,
*Superintendent,*
*Rocky Mountain National Park.*

[F.R. Doc. 69-6969; Filed, June 12, 1969; 8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

### [ 7 CFR Part 61 ]

### COTTONSEED

### Fee and Linters Factor

On May 15, 1969 a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 7705) regarding the amendment of § 61.45 of the Regulations for Cottonseed Sold or Offered for Sale for Crushing Purposes (7 CFR Part 61, Subpart A) to increase the fee charged licensed cottonseed chemists for each certificate of the grade of cottonseed issued by them from 40 cents to 50 cents and § 61.102(b) of the Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States (7 CFR Part 61, Subpart B) to revise the table of premiums and discounts for total linters content of cottonseed.

The notice provided for interested parties to submit comments within 30 days after the date of publication in the FEDERAL REGISTER. Requests have been received to provide an additional period for submission of comments regarding the proposed amendment. Therefore, notice is hereby given to provide for an extension of time until June 30, 1969, for submitting comments. It is now proposed that these amendments would be made effective about July 15, 1969.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 30, 1969. All written submissions made pursuant to this notice shall be made available for public inspection in said office during regular business hours and in a manner convenient to the public business (7 CFR 1.27).

Dated: June 10, 1969.

JOHN E. TROMER,
*Acting Deputy Administrator,*
*Marketing Services.*

[F.R. Doc. 69-7016; Filed, June 12, 1969; 8:48 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

### [ 29 CFR Part 519 ]

### EMPLOYMENT OF FULL-TIME STUDENTS AT SPECIAL MINIMUM WAGES

### Proposed Change in Conditions for Certificates

A petition has been received from the National Restaurant Association to amend the Department of Labor's rules governing the employment of full-time students at special minimum wages less than the full minimum required under the Fair Labor Standards Act. Section 14(b) of that Act provides that under certificate the proportion of full-time student hours at special minimum wages to total hours of employment in an establishment may not exceed the proportion of student hours to total hours for the corresponding month of the base year specified in the Act.

The present rules (29 CFR Part 519) issued under section 14 (b) and (c) provide that in determining the base-month proportion, only those hours of full-time student employment at less than $1 an hour are considered creditable. The petition of the National Restaurant Association asks for an amendment of the rules to remove this $1 an hour limitation.

A review of experience under the rules indicates that the $1 an hour limitation has prevented or restricted issuance of certificates to otherwise qualified employers who paid most or all of their students $1 or more an hour during some or all of the months in the base year. While there was good and sufficient reason for providing a $1 an hour limitation in the past, it is believed that a lifting of the student wage limitation in the base year would permit additional employment of full-time students without reducing the full-time employment opportunities of other persons.

Accordingly, pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR 1949–1953 Comp., p. 1004), Secretary's Order No. 19–67 (32 F.R. 12980), and 29 CFR 519.10, I propose to amend §§ 519.4(f) and 519.6 (c) of Part 519 of Title 29 of the Code of Federal Regulations. The proposal would