

forcement and Safety Administration became operative.

Dated August 29, 1973.

JAMES T. CLARKE,
Assistant Secretary of the Interior.
[FR Doc. 73-18694 Filed 9-4-73; 8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-9; Notice 2]

PART 570—VEHICLE IN USE INSPECTION STANDARDS

This notice adds Part 570, Vehicle In Use Inspection Standards, to Chapter V, Title 49, Code of Federal Regulations.

Part 570 does not in itself impose requirements on any person. It is intended to be implemented by the States through the highway safety program standards issued under the Highway Safety Act (23 U.S.C. 402) with respect to inspection of motor vehicles with a gross vehicle weight rating of 10,000 pounds or less, except motorcycles and trailers. General provisions regarding vehicle inspection are set forth in NHTSA Highway Safety Program Manual Vol. 1, Periodic Motor Vehicle Inspection. Standards and procedures are adopted for hydraulic service brake systems, steering and suspension systems, tire and wheel assemblies.

Interested persons have been afforded an opportunity to participate in the making of these amendments by a notice of proposed rulemaking published in the *FEDERAL REGISTER* on April 2, 1973 (38 FR 8451), and due consideration has been given to all comments received in response to the notice, insofar as they relate to matters within the scope of the notice. Except for editorial changes, and except as specifically discussed herein, these amendments and the reasons therefore are the same as those contained in the notice.

Policy considerations.—A total of 120 comments were received in response to the notice. These comments were submitted by State motor vehicle agencies, national safety organizations, motor vehicle associations, vehicle and equipment manufacturers, antique car clubs and owners, public interest groups, and individual citizens. The commenters were predominantly in favor of periodic motor vehicle inspection (PMVI) and the establishment of uniform motor vehicle in use safety standards throughout the United States.

As the NHTSA stated in the prior notice, cost-benefit factors were the primary policy consideration in developing the inspection standards and procedures. The primary concern of the States was the socioeconomic impact on the motoring public as well as the impact on the State itself. The general consensus was that the proposed inspection requirements would require a significant increase in facilities, operating personnel, and equipment. Though cost effectiveness was a predominant concern the

States nevertheless felt that inspections should include vehicles over 10,000 pounds gross vehicle weight and be extended to include other vehicle systems. Several States expressed concern for the cost of implementing the proposed standards, estimating it at from \$10 to \$14 per car. Even though these States favored PMVI and now have PMVI or random inspection they felt that implementation costs would have a decided economic impact.

NHTSA has responded to these comments allowing an optional road test as a check of service brake system performance, adopting neither of the proposed parking brake procedures, and simplifying test procedures where possible so that tests may be conducted with a minimum added expenditure for equipment, personnel, and facilities. These matters will be discussed subsequently.

The establishment of the proposed standards as "minimum requirements" was questioned by several States as leading to a "watering down" of current requirements in those States which currently meet or exceed them. The NHTSA repeats its intent that the standards are not intended to supplant State standards that establish a higher performance or to discourage them from establishing or maintaining standards for other vehicle systems not covered by NHTSA.

A number of comments were received from antique car clubs and individual owners who believe that antique, special interest, and vintage cars should be exempt from the proposed standards. These comments should be directed to the States. Each State has its own definitions and registration requirements for vehicles of this nature, and the NHTSA intends the States to implement Part 570 to the extent that it is compatible with its current requirements for these special vehicles.

Several respondents commented that the proposed standard should be expanded to include lighting, glazing, exhaust, wipers, horns, controls, and instrumentation systems. The consensus was that the cost-benefit ratio would materially increase if these systems were included in the proposed standard since inspection of these systems does not require time-consuming procedures or special tools, and corrective measures are less costly to the owner. Some considered it contradictory that safety systems covered by the Federal standards must meet safety performance requirements at the time of manufacture and not during the service life of the vehicle. As the NHTSA stated in the prior notice, the initial Federal effort is intended to cover those vehicles and vehicle systems whose maintenance in good order has proven critical to the prevention of traffic accidents. Requirements for motorcycles and trailers, and for less critical systems are under study, and the NHTSA intends to take such rulemaking action in the future as may be appropriate to cover them.

Applicability.—A frequent comment was that the standards and procedures should be extended to cover vehicles

whose GVWR exceeds 10,000 pounds. Because braking and steering and suspension systems on these vehicles differ materially from those on lighter vehicles, different criteria must be established and the proposed standards simply cannot be extended to cover them. The NHTSA, however, is developing appropriate inspection standards and procedures for heavy vehicles and will propose them in a notice to be issued by mid-October 1973.

Brake systems.—Several comments were received questioning the procedure for determining operability of the brake failure indicator lamp. In some vehicles the parking brake indicator and service brake system failure indicator use the same lamp and the methods of simulating failure vary.

It is realized that the procedure specified by the standard is general in nature and cannot cover all possible systems. In those vehicles where a lamp test cannot be executed in the normal manner the test will have to be conducted in accordance with the manufacturer's specifications, as determined by the vehicle inspector.

The brake system integrity test for fluid leakage has been modified on the basis of comments that it was not stringent enough. It was proposed that decrease in pedal height under 125 pounds force for 10 seconds should not exceed one-quarter of an inch. The requirement adopted is that there be no perceptible decrease in pedal height when 125 pounds of force is applied to the brake pedal and held for 30 seconds.

The brake pedal reserve test has been adopted substantially as proposed, and specifies that the engine be operating at the time of the test. Vehicles with full power (central hydraulic) brake systems are exempted from this test as the service brake performance test will be adequate to test such systems.

The service brake performance test offers the option of a road test, or testing upon a drive-on platform or roller-type brake analyzer (originally proposed under the title "Brake equalization"). States that conduct random inspections, and those that designate agents to perform vehicle inspections, objected strenuously to a test requiring the use of roller-type or drive-on test equipment. Consequently, an alternate test has been adopted which requires vehicles to stop from 20 mph in 25 feet or less without leaving a 12-foot wide lane. It is intended that this option be used only by States where it is current practice, and it is hoped that such States where practicable will change to the drive-on brake platform or roller-type brake analyzer tests. The terms "crimped" and "damaged" have been eliminated as causes for rejection of brake hoses, as redundant. If brake discs and drums are not embossed with safety tolerances, the requirement has been added that they be within the manufacturer's recommended specifications.

The primary concern regarding power assist units was that the brake pedal will rise instead of falling on a full-power

brake system when tested according to the procedure proposed. In view of the basic design of a full-power brake system this test would not be a proper check of system operation, and will not be required. As noted earlier, the service brake performance test will be used as the primary test of the full-power brake performance. To accord with the terminology of Standard No. 105a this section has been renamed "Brake power units."

The parking brake system inspection proposal proved controversial. The NHTSA proposed two objective, alternate tests, the first requiring the system to hold the vehicle on a 17 percent grade, and the second requiring the system to stop the vehicle from 20 mph within 54 feet. The first was objected to principally on the ground that each inspection station would have to construct a 17 percent grade. This would present problems for both in-line and bay-type inspection facilities. The stopping distance test, on the other hand, was opposed as a dynamic test more appropriate for service brake evaluation. In view of these objections, the parking brake inspection requirements were not adopted.

Steering and suspension systems.—The primary objections to the steering wheel test for free play concerned the test condition with the engine off on vehicles equipped with power steering, the linear measure of system free play (instead of angular measure to eliminate the variance due to steering wheel diameters), and the 2 inch free play limit for rack and pinion type steering gear.

The tolerance proposed and adopted for steering wheel free play is 2 inches for wheels of 16 inches diameter or less, since few passenger car steering wheels exceed this diameter. However, a table of free play values for older vehicles with steering wheels over 16 inches in diameter has been added to the standard. The requirement to have the engine running is being added to the procedure since steering wheel play can be greater with the engine off than with the engine on for cars equipped with power steering. Steering play on cars equipped with rack and pinion type steering will require further review to determine if the 2 inch tolerance should be changed.

Some comments argued that wheel alignment tolerances were considered too restrictive in the toe-in condition, and too lenient in toe-out. Some comments recommended visual inspection of tire wear as criteria to determine alignment. However, visual inspection of tire wear is not considered a valid method of checking alignment, and therefore was not adopted as an alternate method. No consensus of alternative values could be derived from the comments, and the proposed tolerances of 30 feet per mile have been adopted.

The requirements for the condition of shock absorber mountings, shackles, and U-bolts have been changed from "tight" to "securely attached" as a clarification.

Tire and wheel assembly standards and inspection procedures.—Several comments were received suggesting that rim

deformation in excess of one-sixteenth of an inch be permitted, as the proposed tolerance would result in rejection of otherwise safe vehicles. The primary concern of the requirement is air retention, and since vehicles with wheel deformation of one-sixteenth of an inch apparently perform satisfactorily in service without hazard the deformation tolerance has been increased to three thirty-seconds of an inch runout for both lateral and radial bead seat areas.

Effectivity.—Several commenters questioned the proposed effective date, 30 days after publication of the final rule. The NHTSA considers it in the public interest that minimum Federal standards for motor vehicles in use become effective without further delay. Implementation by the States will take place within the context of their highway safety programs, and the plans approved by the NHTSA under the Highway Safety Act, 23 U.S.C. 402.

In consideration of the foregoing, Title 49, Code of Federal Regulations is amended by adding Part 570 to read as set forth below.

Effective date.—September 28, 1973. Since this part does not in itself impose requirements on any person it is determined for good cause shown that an effective date earlier than 180 days after publication of the final rule is in the public interest.

(Secs. 103, 108, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1397, 1407; delegation of authority at 49 CFR 1.51.)

Issued on August 29, 1973.

JAMES B. GREGORY,
Administrator.

570.1	Scope.
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AUTHORITY: Secs. 103, 108, 119, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1397, 1407; delegation of authority at 49 CFR 1.51.

§ 570.1 Scope.

This part specifies standards and procedures for inspection of hydraulic service brake systems, steering and suspension systems, and tire and wheel assemblies of motor vehicles in use.

§ 570.2 Purpose.

The purpose of this part is to establish criteria for the inspection of motor vehicles by State inspection systems, in order to reduce death and injuries attributable to failure or inadequate performance of motor vehicle systems.

§ 570.3 Applicability.

This part does not in itself impose requirements on any person. It is intended to be implemented by States through the highway safety program standards issued under the Highway Safety Act (23 U.S.C. 402) with respect to inspection of

motor vehicles with gross vehicle weight rating of 10,000 pounds or less, except motorcycles or trailers.

§ 570.4 Definitions.

Unless otherwise indicated, all terms used in this part that are defined in 49 CFR Part 571, Motor Vehicle Safety Standards, are used as defined in that part.

§ 570.5 Service brake system.

(a) **Failure indicator.**—The brake system failure indicator lamp, if part of a vehicle's original equipment, shall be operable. (This lamp is required by Federal Motor Vehicle Safety Standard No. 105, 49 CFR 571.105, on every new passenger car manufactured on or after January 1, 1968, and on other types of motor vehicles manufactured on or after September 1, 1975.)

(i) **Inspection procedure.**—Apply the parking brake and turn the ignition to start, or verify lamp operation by other means indicated by the vehicle manufacturer that the brake system failure indicator lamp is operable.

(b) **Brake system integrity.**—The brake system shall demonstrate integrity as indicated by no perceptible decrease in pedal height under a 125 pound force applied to the brake pedal or by no illumination of the brake system failure indicator lamp. The brake system shall withstand the application of force to the pedal without failure of any line or other part.

(i) **Inspection procedure.**—With the engine running on vehicles equipped with power brake systems, and the ignition turned to "on" in other vehicles, apply a force of 125 pounds to the brake pedal and hold for 30 seconds. Note any decrease in pedal height, and whether the lamp illuminates.

(c) **Brake pedal reserve.**—When the brake pedal is fully depressed, the distance that the pedal has traveled from its free position shall be not greater than 80 percent of the total distance from its free position to the floorboard or other object that restricts pedal travel.

(i) **Inspection procedure.**—Measure the distance (i) from the free pedal position to the floorboard or other object that restricts brake pedal travel. Depress the brake pedal, and with the force applied measure the distance (ii) from the depressed pedal position to the floorboard or other object that restricts pedal travel. Determine the percentage as

$$\frac{A-B}{A} \times 100.$$

The engine must be operating when power-assisted brakes are checked. The pedal reserve check is not required for vehicles equipped with full-power (central hydraulic) brake systems, or to vehicles with brake systems designed to operate with greater than 80 percent pedal travel.

(d) **Service brake performance.**—Compliance with one of the following performance criteria will satisfy the requirements of this section. Verify that tire inflation pressure is within the limits rec-

ommended by vehicle manufacturer before conducting either of the following tests.

(1) *Roller-type or drive-on platform tests.*—The force applied by the brake on a front wheel or a rear wheel shall not differ by more than 20 percent from the force applied by the brake on the other front wheel or the other rear wheel respectively.

(i) *Inspection procedure.*—The vehicle shall be tested on a drive-on platform, or a roller-type brake analyzer with the capability of measuring equalization. The test shall be conducted in accordance with the test equipment manufacturer's specifications. Note the left to right brake force variance.

(2) *Road test.*—The service brake system shall stop the vehicle in a distance of 25 feet or less from a speed of 20 miles per hour without leaving a 12-foot-wide lane.

(i) *Inspection procedure.*—The road test shall be conducted on a level (not to exceed plus or minus one percent grade) dry, smooth, hard-surfaced road that is free from loose material, oil, or grease. The service brakes shall be applied at a vehicle speed of 20 miles per hour and the vehicle shall be brought to a stop as specified. Measure the distance required to stop.

(e) *Brake hoses and assemblies.*—Brake hoses shall not be mounted so as to contact the vehicle body or chassis. Hoses shall not be cracked, chafed, or flattened.

(i) *Inspection procedure.*—Examine visually, inspecting front brake hoses through all wheel positions from full left to full right for conditions indicated.

NOTE.—To inspect for (f), (g), and (h) below, remove at a minimum one front wheel and one rear wheel.

(f) *Disc and drum condition.*—If the drum is embossed with a maximum safe diameter dimension or the rotor is embossed with a minimum safety thickness dimension, the drum or disc shall be within the appropriate specifications. These dimensions will be found on motor vehicles manufactured since January 1, 1971, and may be found on vehicles manufactured for several years prior to that time. If the drums and discs are not embossed, the drums and discs shall be within the manufacturer's specifications.

(i) *Inspection procedure.*—Examine visually for condition indicated, measuring as necessary.

(g) *Friction materials.*—On each brake the thickness of the lining or pad shall not be less than one thirty-second of an inch over the rivet heads, or the brake shoe on bonded linings or pads. Brake linings and pads shall not have cracks or breaks that extend to rivet holes except minor cracks that do not impair attachment. Drum brake linings shall be securely attached to brake shoes. Disc brake pads shall be securely attached to shoe plates.

(i) *Inspection procedure.*—Examine visually for conditions indicated, and measure height of rubbing surface of lining over rivet heads. Measure bonded lin-

ing thickness over shoe surface at the thinnest point on the lining or pad.

(h) *Structural and mechanical parts.*—Backing plates and caliper assemblies shall not be deformed or cracked. System parts shall not be broken, misaligned, missing, binding, or show evidence of severe wear. Automatic adjusters and other parts shall be assembled and installed correctly.

(i) *Inspection procedure.*—Examine visually for conditions indicated.

§ 570.6 Brake power unit.

Vacuum hoses shall not be collapsed, abraded, broken, improperly mounted, or audibly leaking. With residual vacuum exhausted and a constant 25 pound force on the brake pedal, the pedal shall fall slightly when the engine is started, demonstrating integrity of the power assist system. This test is not applicable to vehicles equipped with full power brake system as the service brake performance test shall be considered adequate test of system performance.

(i) *Inspection procedure.*—With engine running, examine hoses visually and aurally for conditions indicated. Stop engine and apply service brakes several times to destroy vacuum in system. Depress brake pedal with 25 pounds of force and while maintaining that force, start the engine. If brake pedal does not fall slightly under force when the engine starts, there is a malfunction in the power assist system.

§ 570.7 Steering systems.

(a) *System play.*—Lash or free play in the steering system shall not exceed values shown in Table 1.

(i) *Inspection procedure.*—With the engine on and the wheels in the straight ahead position, turn the steering wheel in one direction until there is a perceptible movement of a front wheel. If a point on the steering wheel rim moves more than the value shown in Table 1 before perceptible return movement of the wheel under observation, there is excessive lash or free play in the steering system.

TABLE 1.—STEERING SYSTEM FREE PLAY VALUES

Steering wheel diameter (inches):	Lash (inches)
16 or less.....	2
18.....	2 1/4
20.....	2 1/2
22.....	2 3/4

(b) *Linkage play.*—Free play in the steering linkage shall not exceed one-quarter of an inch.

(i) *Inspection procedure.*—Elevate the front end of the vehicle to load the ball joints. Insure that wheel bearings are correctly adjusted. Grasp the front and rear of a tire and attempt to turn the tire and wheel assembly left and right. If the free movement at the front or rear tread of the tire exceeds one-quarter inch there is excessive steering linkage play.

(c) *Free turning.*—Steering wheels shall turn freely through the limit of travel in both directions.

(i) *Inspection procedure.*—Turn the steering wheel through the limit of travel in both directions. Feel for binding or

jamming in the steering gear mechanism.

(d) *Alignment.*—Toe-in and toe-out shall not exceed 30 feet per mile, as recorded on a scuff gauge, or equivalent measuring device.

(i) *Inspection procedure.*—Use instructions of measuring device manufacturer.

(e) *Power steering system.*—The power steering system shall not have cracked or slipping belts, or insufficient fluid in the reservoir.

(i) *Inspection procedure.*—Examine fluid reservoir and pump belts for conditions indicated.

§ 570.8 Suspension system.

(a) *Suspension condition.*—Ball joint seals shall not be cut or cracked. Structural parts shall not be bent or damaged. Stabilizer bars shall be connected. Springs shall not be broken, or extended by spacers. Shock absorber mountings, shackles, and U-bolts shall be securely attached. Rubber bushings shall not be cracked, extruded out from or missing from suspension joints. Radius rods shall not be missing or damaged.

(i) *Inspection procedure.*—Examine front and rear end suspension parts for conditions indicated.

(b) *Shock absorber condition.*—There shall be no oil on the shock absorber housing attributable to leakage by the seal, and the vehicle shall not continue free rocking motion for more than two cycles.

(i) *Inspection procedure.*—Examine shock absorbers for oil leaking from within, then with vehicle on a level surface, push down on one end of vehicle and release. Note number of cycles of free rocking motion. Repeat procedure at other end of vehicle.

§ 570.9 Tires.

(a) *Tread depth.*—The tread on each tire shall be not less than two thirty-seconds of an inch deep.

(i) *Inspection procedure.*—Passenger car tires have tread depth indicators that become exposed when tread depth is less than two thirty-seconds of an inch. Inspect for indicators in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire. For vehicles other than passenger cars, it may be necessary to measure tread depth with a tread gauge.

(b) *Type.*—Vehicles should be equipped with tires on the same axle that are matched in nominal size, construction, and profile.

(i) *Inspection procedure.*—Examine visually. A major mismatch in nominal size, construction, and profile between tires on the same axle, or a major deviation from the size as recommended by the manufacturer (e.g. as indicated on the glove box placard on 1968 and later passenger cars) are causes for rejection.

(c) *General condition.*—Tires shall be free from chunking, bumps, knots, or bulges evidencing cord, ply, or tread separation from the casing or other adjacent materials.

(i) *Inspection procedure.*—Examine visually for conditions indicated.

(d) *Damage.*—Tire cords or belting materials shall not be exposed, either to the naked eye or when cuts or abrasions on the tire are probed.

(i) *Inspection procedure.*—Examine visually for conditions indicated, using an awl if necessary to probe cuts or abrasions.

§ 570.10 Wheel assemblies.

(a) *Wheel integrity.*—A tire rim, wheel disc, or spider shall have no visible cracks, elongated bolt holes, or indication of repair by welding.

(i) *Inspection procedure.*—Examine visually for conditions indicated.

(b) *Deformation.*—The lateral and radial runout of each rim bead area shall not exceed three thirty-seconds of an inch total indicated runout.

(i) *Inspection procedure.*—Using a runout indicator gauge, and a suitable stand, measure lateral and radial runout of rim bead through one full wheel revolution and note runout in excess of three thirty-seconds of an inch.

(c) *Mounting.*—All wheel nuts and bolts shall be in place and tight.

(i) *Inspection procedure.*—Check wheel retention for conditions indicated.

[FR Doc.73-18720 Filed 9-4-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Service Order 1104; Amdt. 7]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 27th day of August 1973.

Upon further consideration of Service Order No. 1104, (37 FR 15307, 22986; 38 FR 3512, 8445, 14754, 18024, and 20621), and good cause appearing therefor:

It is ordered, That: Section 1033.1104 Service Order No. 1104 (Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees, authorized to operate over tracks of the Erie Lackawanna Railway Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—The provisions of this order shall expire at 11:59 p.m., October 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., August 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-18752 Filed 9-4-73;8:45 am]

[Rev. S.O. 1110-A]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 27th day of August 1973.

Upon further consideration of Revised Service Order No. 1110 (37 FR 19616, 22871, 23236; 38 FR 878, 3333, 5636, 8446, 10942, 14755, 18025, and 20621), and good cause appearing therefor:

It is ordered, That:

§ 1033.1110 [Reserved]

Section 1033.1110 Service Order No. 1110, (Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees, required to restore service at the Buttonwood (Wilkes-Barre), Pennsylvania, Gateway and to reroute traffic originally routed via that gateway) be, and it is hereby vacated and set aside.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That this order shall become effective at 12:01 a.m., September 1, 1973; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-18753 Filed 9-4-73;8:45 am]

[S.O. 1118; Amdt. 1]

PART 1033—CAR SERVICE

Providence and Worcester Co.

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 28th day of August 1973.

Upon further consideration of Service Order No. 1118 (38 FR 2761), and good cause appearing therefor:

It is ordered, That:

Section 1033.1118 Service Order No. 1118 (Providence and Worcester Company authorized to operate over tracks of Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees; Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees, authorized to operate over tracks of Providence and Worcester Company) be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.*—This order shall expire at 11:59 p.m., February 3, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., August 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroad subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-18750 Filed 9-4-73;8:45 am]

[S.O. 1122, Amdt. 1]

PART 1033—CAR SERVICE

Texas Export Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23d day of August 1973.

Upon further consideration of Service Order No. 1122 (38 FR 4667), and good cause appearing therefor:

It is ordered, That:

Section 1033.1122 Service Order No. 1122, the Texas Export Railroad Company authorized to operate over tracks

abandoned by Chicago, Rock Island and Pacific Railroad Company be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.*—The provisions of this order shall expire at 11:59 p.m., October 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date.—This amendment shall become effective at 11:59 p.m., August 31, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this amendment, shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-18751 Filed 9-4-73;8:45 am]

SUBCHAPTER B—PRACTICE AND PROCEDURE
[Ex Parte No. 275]

PART 1115—ISSUANCE OF SECURITIES,
ASSUMPTION OF OBLIGATIONS, AND
FILING OF CERTIFICATES AND
REPORTS

Expanded Definition of "Securities"

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 16th day of August 1973.

It appearing, that the Commission, on the date hereof, has made and filed its report in this proceeding upon further consideration setting forth its conclusions and findings and its reasons therefore, which report is hereby referred to and made a part hereof; and

It further appearing, that since the proposed amendments to existing regulations relate to matters of practice and procedure resulting from the herein proceeding, further notice and public proceedings under 5 U.S.C. 553 are not necessary and good cause exists for making otherwise employed by a carrier, and as additionally including, but not being limited to, loan agreements, credit agreements the amendments effective within 60 days after publication thereof in the

FEDERAL REGISTER:

It is ordered, That the term "securities" as found in section 20a of the Interstate Commerce Act be henceforth interpreted as including, among other things, all agreements creating a present or future interest in or indebtedness of a carrier, or in property owned, leased or mortgaged, mortgages, chattel mortgages, advances, deeds of trust, equipment trusts, security agreements, purchase agreements whose terms do not provide for full payment of the purchase price at consummation and leases of operating property or real property, but shall not at this time be interpreted to include agreements entered into for the sole purpose of acquiring motor carrier operating property;

It is further ordered, That Part 1115 of Subchapter B of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by adding new material¹ to Form BF-6, referred to in § 1115.1:

It is further ordered, That this order shall become effective on October 23, 1973.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy of this notice in the Office of the Secretary of this Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-18749 Filed 9-4-73;8:45 am]

Title 10—Atomic Energy

CHAPTER I—ATOMIC ENERGY
COMMISSION

PART 110—UNCLASSIFIED ACTIVITIES IN
FOREIGN ATOMIC ENERGY PROGRAMS

Information on Production of Special
Nuclear Material

The Atomic Energy Commission hereby announces amendments to its regulation in 10 CFR, Part 110, which are intended to broaden the general authorization contained therein to include the furnishing to recipients everywhere of unclassified information pertaining to the production of special nuclear material which is (1) published, or (2) contained in certain patent applications, or (3) unpublished, provided That such unpublished information will be made available to the public within 60 days after the furnishing thereof.

Pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553), the Commission has found that good cause exists for making this amendment effective without the customary 30-day

¹ Filed as part of the original document.

notice period. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendment to Title 10, Chapter I, Code of Federal Regulations, Part 110 is published as a document subject to codification to be effective on September 5, 1973.

1. Section 110.7(b) of 10 CFR Part 110, is amended to read as follows:

§ 110.7 Generally authorized activities.

(b) Pursuant to section 57(b)(2) of the Act, the Atomic Energy Commission has determined that any activity not generally authorized pursuant to paragraph (a) of this section, which constitutes directly or indirectly engaging in the production of any special nuclear material outside of the United States, will not be inimical to the interest of the United States, and is authorized by the Atomic Energy Commission, provided that it:

(1) Does not involve the communication of Restricted Data or other classified defense information; and

(2) Is not in violation of other provisions of law; and either

(3) Is limited to participation in (i) meetings of or conferences sponsored by educational institutions, laboratories, scientific or technical organizations; (ii) international conferences held under the auspices of a nation or group of nations; or (iii) exchange programs approved by the Department of State; or

(4) Is limited to the furnishing of information which is available to the public in published form¹ or which will be made available to the public in published form within 60 days after the furnishing thereof.

2. The footnote (1) to 10 CFR 110.7 is amended to read as follows:

¹ For purposes of this section, "information which is available to the public in published form" shall include, but not be limited to, any information contained in an application filed in accordance with the regulations of the U.S. Patent Office and eligible for foreign filing under 35 U.S.C. sec. 184. In addition, information which is available from the Commission pursuant to 5 U.S.C. sec. 552 shall, for purposes of this section, be deemed to be information available to the public in published form.

(Secs. 57, 161, 68 Stat. 932, 948, as amended, (42 U.S.C. 2077, 2201); for the purposes of sec. 223, 69 Stat. 958, as amended, (42 U.S.C. 2273); §§ 110.10 and 110.11 issued under sec. 161, 68 Stat. 950, as amended, (42 U.S.C. 2201(o)).)

Dated at Germantown, Md., this 29th day of August 1973.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary of the Commission.

[FR Doc.73-18935 Filed 9-4-73;11:00 am]