

SUPPLEMENTARY INFORMATION: On March 14, 1996, FRA published its NPRM on Roadway Worker Protection. The NPRM was the product of FRA's first negotiated rulemaking. Consistent with the Administrative Procedures Act (5 U.S.C. § 553), FRA solicited and received comments on the proposed rule. In accordance with spirit of the Negotiated Rulemaking Act (5 U.S.C. § 561 *et seq.*) FRA is allowing the Committee to consider these comments and make a recommendation to FRA regarding their status prior to issuing a Final Rule. FRA continues to believe that public participation is critical to the success of this process. This negotiating session will be open to the public, pursuant to the Federal Advisory Committee Act (Pub. L. 92-463).

S. Mark Lindsey,

Chief Counsel, Federal Railroad Administration.

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National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 95-98; Notice No. 2]

Public Meeting on School Bus Transportation.

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

ACTION: Notice of public meeting; request for comments.

SUMMARY: This notice announces a public meeting at which NHTSA will seek information about school bus transportation. NHTSA held a national meeting on February 14, 1996. In response to comments received at the February meeting, NHTSA is holding regional meetings. NHTSA is seeking information from school bus manufacturers, school transportation providers, and other members of the public on issues related to the transportation of school children. NHTSA is also requesting suggestions for actions with respect to NHTSA's regulations and Federal Motor Vehicle Safety Standards (FMVSS) that govern the manufacture of school buses. This notice also invites written comments on the same subject.

DATES: *Public meeting:* The meeting will be held on August 15, 1996 at 9:00 a.m. Those wishing to make oral presentations at the meeting should contact Charles Hott, at the address or telephone number listed below, by August 8, 1996.

Written comments: Written comments may be submitted to the agency and must be received by September 16, 1996.

ADDRESSES: *Public meeting:* The public meeting will be held at the following location: Holiday Inn, 411 South Larkin, Joliet, IL 60436, Tel: (815) 729-2000.

Written comments: All written comments (preferably 10 copies) should be mailed to the Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 7th Street, SW, Washington, DC 20590. Please refer to the docket number when submitting written comments.

FOR FURTHER INFORMATION CONTACT: Charles Hott, Office of Vehicle Safety Standards, NPS-15, NHTSA, 400 7th Street, SW, Washington, DC 20590 (telephone 202-366-0247, Fax: 202-366-4329).

SUPPLEMENTARY INFORMATION:

Regulatory Reform

Calling for a new approach to the way Government regulates the private sector, President Clinton asked Executive Branch agencies to improve the regulatory process. Specifically, the President requested that agencies: (1) cut obsolete regulations; (2) reward agency and regulator performance by rewarding results, not red tape; (3) create grassroots partnerships by meeting with those affected by regulations and other interested parties; and (4) use consensual rulemaking, such as regulatory negotiation, more frequently.

NHTSA previously announced public meetings to create grassroots partnerships with regulated industries and other affected parties that do not deal with NHTSA on a routine basis. By meeting with these groups, NHTSA believes that it can build a better understanding of their needs and concerns.

At the February 14, 1996 public meeting on school bus transportation commenters suggested that NHTSA hold public meetings in different regions of the country. By holding regional public meetings on school bus transportation, NHTSA hopes to obtain the views from those parties affected by school bus transportation and the public on the local issues, as well as, national issues. NHTSA believes that their views are important because school bus transportation is an issue that affects most school districts in the United States. This meeting is a way of obtaining information from those persons that do not attend the national meetings on school transportation on a regular basis. NHTSA has decided to

hold these meetings based on the geographic locations served by the NHTSA Regional Offices. This meeting is being held in NHTSA Region 5 which includes the following States: Illinois; Indiana; Michigan; Minnesota; Ohio; and Wisconsin. Interested parties from these states are encouraged to attend. However, parties from other states are also welcome.

NHTSA recognizes that manufacturers who build school buses operate under different conditions than manufacturers of passenger cars and trucks. In addition, the agency is aware that school transportation providers and school bus manufacturers share a common interest in matters relating to pupil transportation safety. Therefore, the agency has decided to hold public meetings to listen to the views of these groups and others in order to be better informed of their specific needs. The agency is interested in obtaining their views on how it can improve its regulations that govern the manufacture of school buses. Suggestions should be accompanied by a statement of the rationale for the suggested action and of the expected consequences of that action. Suggestions should address at least the following considerations:

- Administrative/compliance burdens
- Cost effectiveness
- Costs of the existing regulation and the proposed changes to consumers
- Costs of testing or certification to regulated parties
- Effects on safety
- Effects on small businesses
- Enforceability of the standard
- Whether the suggestion reflects a "common sense" approach to solving the problem

Statements should be as specific as possible and provide the best available supporting information. Statements also should specify whether any change recommended in the regulatory process would require a legislative change in NHTSA's authority.

Other Topics of Interest

In recent years there have been many changes to the Federal requirements for school buses. These new requirements include stop arms for all school buses, more emergency exits for most of the larger school buses, performance requirements for wheelchair restraints in school buses, and mirror systems that are performance based instead of design based. Future requirements includes antilock brake systems for large school buses and may require small school buses to meet Standard No. 221, joint strength.

Improvements have been made to the safety of the school bus loading zones. The stop arm and mirror requirements

were implemented to reduce the number of loading zone injuries and fatalities. However, changes in clothing style and design have resulted in snagging and dragging injuries to bus occupants departing from the school bus. Most manufacturers have implemented recalls to modify handrail designs.

The agency is interested in your views on how the above regulations and developments have affected school bus safety. Have increased costs of school buses affected the normal replacement cycle for your school buses?

There have also been many changes to the Federal requirements for school bus drivers. School bus drivers are now required to possess a commercial drivers license which requires pre-employment drug tests and random drug and alcohol tests. Staff from the Federal Highway Administration will be available to answer questions at the meeting.

Procedural Matters

The agency intends to conduct the meeting informally so as to allow for maximum participation by all who attend. Interested persons may ask questions or provide comments during any period after a party has completed its presentation, on a time allowed basis as determined by the presiding official.

If time permits, persons who have not requested time to speak, but would like to make a statement, will be afforded an opportunity to do so.

The agency is interested in obtaining the views of its customers both orally and in writing. An agenda for the meeting will be made based on the number of persons wishing to make oral presentations and will be available on the day of the meeting.

Those speaking at the public meeting should limit their presentations to 20 minutes. If the presentation will include slides, motion pictures, or other visual aids, please indicate so that the proper equipment may be made available. Presenters should bring at least one copy of their presentation to the meeting so that NHTSA can readily include the material in the public record.

A schedule of participants making oral presentations will be available at the designated meeting room. NHTSA will place a copy of any written statement in the docket for this notice. Participation in the meeting is not a prerequisite for the submission of written comments. NHTSA invites written comments from all interested parties. It is requested but not required that 10 copies be submitted.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the

complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, Room 5219, at the street address given above, and copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation (49 CFR Part 512.)

All comments received before the close of business on the comment closing date indicated above will be considered. Comments will be available for inspection in the docket.

After the closing date, NHTSA will continue to file relevant information in the docket as it becomes available. It is therefore recommended that interested persons continue to examine the docket for new material.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

Issued: June 14, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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