

§ 571.105 Standard No. 105, Hydraulic Brake Systems.

* * * * *

57.4.2.1 *Burnish*. Vehicles are burnished according to the following procedures. Make 500 snubs between 40 mph and 20 mph at a deceleration rate of 10 f.p.s.p.s. Except where an adjustment is specified, after each brake application accelerate to 40 mph and maintain that speed until making the next brake application at a point 1 mile from the initial point of the previous brake application. If the vehicle cannot attain a speed of 40 mph in 1 mph, continue to accelerate until the vehicle reaches 40 mph or until the vehicle has traveled 1.5 miles from the initial point of the previous brake application, whichever occurs first. The brakes shall be adjusted three times during the burnish procedure, in accordance with the manufacturer's recommendations, after 125, 250, and 375 snubs.

* * * * *

Issued on April 25, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96-10790 Filed 5-1-96; 8:45 am]

BILLING CODE 4910-59-P

Federal Transit Administration**49 CFR Parts 604 and 609**

RIN 2132-AA46

Charter Service; Transportation for Elderly and Handicapped Persons

AGENCY: Federal Transit Administration, DOT.

ACTION: Final rule.

SUMMARY: This rule removes and updates obsolete sections of the Federal Transit Administration's Charter Service and Transportation for Elderly and Handicapped Persons regulations, which have been superseded by the Department of Transportation's regulation implementing the Americans with Disabilities Act of 1990, replaces references to the former Federal Transit Act, as amended (49 U.S.C. app §§ 1601 et seq.) with references to Chapter 53 of Title 49 of the United States Code, and redesignates Appendix B of the Charter Service regulation as Appendix A of the Transportation for Elderly and Handicapped Persons regulation.

EFFECTIVE DATE: May 2, 1996.

FOR FURTHER INFORMATION CONTACT: Richard L. Wong, Attorney-Advisor, Office of the Chief Counsel, Phone: (202) 366-1936 (voice).

SUPPLEMENTARY INFORMATION: Part 609 of 49 CFR set forth regulatory requirements

of the Federal Transit Administration on transportation for the elderly and persons with disabilities under sections 5 and 16 of the former Federal Transit Act, as amended (49 U.S.C. app. §§ 1604 and 1612). These requirements included transportation planning in urbanized areas, transportation planning in nonurbanized areas, accessible transportation facilities, and accessible buses, rapid rail vehicles, light rail vehicles, and other vehicles.

The specification for accessible transportation facilities and vehicles have now been superseded by the Department of Transportation's regulation implementing the Americans with Disabilities Act of 1990 (49 CFR Parts 27, 37, and 38), and the special efforts planning requirements for urbanized areas are located in the joint FHWA/FTA Statewide and Metropolitan Planning Rules (49 CFR Part 613 and 23 CFR Part 450, respectively).

In addition, 49 CFR Part 604, Charter Service, Appendix B, contains a series of questions and answers regarding the definitions addressed under 49 CFR Part 609. This final rule moves Appendix B to Part 609, a more appropriate location, and makes several technical amendments reflecting that change and the codification of the former Federal Transit Act (now 49 U.S.C. Chapter 53).

Regulatory Analyses and Notices

This is not a significant rule under Executive Order 12866 or under the Department's Regulatory Policies and Procedures. It does not impose costs on regulated parties. It merely removes several superseded sections of a regulation and consolidates the effective sections. There are not sufficient Federalism implications to warrant a Federalism Assessment. The Department certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Under the Administrative Procedure Act (5 U.S.C. 553), FTA determines that notice and an opportunity for comment are impracticable, unnecessary, and contrary to the public interest. The amendments made in this document are ministerial, removing obsolete and redundant material and making minor technical and terminological changes. FTA expects these changes to have no substantive impact and does not anticipate receiving meaningful comments on them. Therefore, because it would be contrary to the public interest to unnecessarily delay this effort to eliminate and revise outdated rules, FTA is not seeking public comment on these changes to 49 CFR.

List of Subjects in 49 CFR Parts 604 and 609

Elderly and handicapped; charter service.

For the reasons set forth, the Department amends 49 CFR Parts 609 and 604 as follows:

PARTS 604 AND 609—[AMENDED]

1. The authority citation for 49 CFR Part 604 continues to read as follows:

Authority: 49 U.S.C. 5323(d); 23 U.S.C. 103(e)(4); 142(a); and 142(c); and 49 CFR 1.51.

2. The authority citation for 49 CFR Part 609 is revised to read as follows:

Authority: 49 U.S.C. 5307(d) and 5308(b); 23 U.S.C. 134,135 and 142; 29 U.S.C. 794; 49 CFR 1.51.

Appendix B [Redesignated]

3. 49 CFR Part 604, Appendix B is redesignated as 49 CFR Part 609, Appendix A.

Appendix A [Amended]

4. In newly designated Appendix A to Part 609, the first sentence of the second paragraph is amended by deleting "§ 604.9(b)(6)" and replacing it with "this part".

5. In newly designated Appendix A to Part 609, the first sentence of Answer 3 is amended by replacing "section 16 of the FT Act" with "section 5302(a)(5) of the Federal transit laws (49 U.S.C. Chapter 53)".

6. In newly designated Appendix A to Part 609, the second sentence of Answer 5 is amended by replacing "FTA's elderly and handicapped regulation" with "the Department of Transportation's ADA regulation".

§ 609.5 [Amended]

7. Section 609.5 is amended by replacing "sections 3, 5, or 9 of the Federal Mass Transit Act of 1964, as amended (49 U.S.C. 1602, 1604, or 1607a)" with "sections 5307 or 5308 of the Federal transit laws (49 U.S.C. Chapter 53)".

§ 609.23 [Amended]

8. Section 609.23 is amended by replacing "section 5 of the Federal Mass Transit Act of 1964, as amended (49 U.S.C. 1604)" with "section 5307 of the Federal transit laws (49 U.S.C. Chapter 53)".

§§ 609.5 and 609.23 [Amended]

9. Sections 609.5 and 609.23 are amended by removing the words "Federal Mass Transit Administrator" and adding in their place, the words "Federal Transit Administrator".

10. Sections 609.7, 609.9, 609.11, 609.13, 609.15, 609.17, 609.19, 609.21, and 609.25 are removed.

Issued this 25th day of April 1996, at Washington, D.C.

Gordon J. Linton,

Administrator.

[FR Doc. 96-10743 Filed 5-1-96; 8:45 am]

BILLING CODE 4910-57-U