

more importantly, GM vehicles with Type III door latches have no higher rate of ejection—either overall or through side-door openings—than contemporaneous vehicles of other manufacturers. * * *

Using 1984–94 NASS data, GM's detailed analysis indicates that the GM and non-GM vehicles have similar door opening rates.

GM conducted several analyses using NHTSA's FARS data. Details of these analyses are summarized below.

Overall ejection rate: In an analysis using 28 different car lines of unbelted front seat outboard occupants in model year 1978 through 1987 passenger cars that were involved in fatal collisions in FARS years 1975–1994, GM determined the number of ejected occupants per 100 unbelted occupants. The results showed that GM vehicles had the second to lowest ejection rate, i.e., approximately 17 ejections per 100 unbelted occupants in fatal crashes.

Side door ejection rate: In a similar analysis using the number of ejections through side door openings in 1978 through 1987 passenger cars in the 1991 through 1994 FARS files, GM found a median ejection rate of about 1.8 unbelted front seat outboard occupants per 100 unbelted occupants in fatal crashes. The GM vehicles had a side door opening ejection rate of about 1.6 front seat outboard occupants per 100 unbelted occupants in fatal crashes.

Rollover ejection rates: GM presented an analysis of rollover and non-rollover crashes, comparing its vehicles that used the original Type III latch with other manufacturer's vehicles. The analysis shows that the overall ejection rate for GM cars equipped with the Type III latch was lower than that for five other manufacturers' cars, and the side door ejection rate for GM cars equipped with the Type III latch was lower than that for four other manufacturers' cars.

Make/Model analysis: GM analyzed FARS data concerning the ejection rate of front seat occupants in vehicles at the make-model level for four different vehicles: GM's S-10 pickup, GM's A body cars (Chevrolet Chevelle/Malibu, Pontiac Lemans/6000, Oldsmobile Cutlas/Ciera, and Buick Century), Ford Ranger and Ford Taurus. The results showed that the ejection rate of the S-10 pickups was lower than that of the Rangers for both overall and side door ejections, and the overall ejection rate of the A body cars was lower than that of the Taurus. For side doors, the ejection rate was the same for the A body cars and the Taurus.

Summary

1. The GM original Type III door latch has performed better than many other side door latches used in GM and non-GM vehicles, in both static and dynamic tests, in the laboratory and in the field.

2. Test and accident data indicate that vehicle side door openings did occur under certain crash conditions for all vehicles, regardless of vehicle make or model, including GM vehicles equipped with the modified Type III door latch as well as GM vehicles equipped with the original Type III door latches. Most crashes in which the side door opened were high speed crashes.

3. "Real-world" accident data indicate that GM vehicles equipped with the original Type III door latch have ejection rates or side door opening rates similar to or lower than those of vehicles made by other manufacturers.

4. There was only one complaint in the ODI database concerning an alleged side door opening during a collision accident involving a subject vehicle.

Based on the information available at the present time, no defect trend has been identified for the GM Type III door latch in 1978 through 1988 GM vehicles.

For the foregoing reasons and for the reasons stated in the ODI report, further expenditure of the agency's investigative resources on the allegation in the petition does not appear to be warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on November 27, 1996.

Michael B. Brownlee,
Associate Administrator for Safety
Assurance.

[FR Doc. 96-30773 Filed 12-4-96; 8:45 am]

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Surface Transportation Board

[STB Docket No. AB-167 (Sub-No. 1173X)]

Consolidated Rail Corporation— Abandonment Exemption—in Madison County, IN

Consolidated Rail Corporation (Conrail) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a portion of its line of railroad known as the Honey Creek Secondary between milepost 120.65 and milepost 121.10 in the City of Anderson, Madison County, IN.¹

¹ The City of Anderson (City) filed a request for issuance of a notice of interim trail use (NITU) for the line pursuant to section 8(d) of the National Trails System Act, U.S.C. 1247(d). The Board will address the City's trail use request, and any others that may be filed, in a subsequent decision.

Conrail has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 4, 1997, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by December 16, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 26, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: John J. Paylor, Associate General Counsel, Consolidated Rail Corporation, 20001 Market Street—16A, Philadelphia, PA 19101-1416.

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

³ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Board will accept late-filed trail use requests as long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Conrail has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by December 10, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: November 26, 1996.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 96-30718 Filed 12-4-96; 8:45 am]

BILLING CODE 4915-00-P

[STB Docket No. AB-227 (Sub-No. 8X)]

**Wheeling & Lake Erie Railway
Company—Abandonment Exemption—
in Huron County, OH**

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board exempts from the requirements of 49 U.S.C. 10903 the abandonment by Wheeling & Lake Erie Railway Company of a 2.3-mile rail line extending from milepost 0.0 at Huron Junction in Norwalk, to milepost 2.3 near Milan, all in Huron County, OH, subject to an environmental condition and standard labor protective conditions.

DATES: The exemption will be effective December 20, 1996 unless it is stayed or a statement of intent to file an offer of financial assistance (OFA) is filed. Statements of intent to file an OFA¹ under 49 CFR 1152.27(c)(2) and requests for a notice of interim trail use/rail banking under 49 CFR 1152.29 must be filed by December 16, 1996; petitions to stay must be filed by December 16, 1996; requests for a public use condition under 49 CFR 1152.28 must be filed by December 16, 1996; and petitions to reopen must be filed by December 26, 1996.

ADDRESSES: An original and 10 copies of all pleadings referring to STB Docket No. AB-227 (Sub-No. 8X) must be filed with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423; a copy of all pleadings must be served on petitioner's representatives: William A. Collison,

¹ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C. 2d 164 (1987).

Wheeling & Lake Erie Railway Company, 100 East First Street, Brewster, OH 44613 and William C. Sipple, Oppenheimer Wolff and Donnelly, Two Prudential Plaza, 45th Floor, 180 North Stetson Avenue, Chicago, IL 60601.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: November 27, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 96-30960 Filed 12-4-96; 8:45 am]

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