

FEDERAL REGISTER

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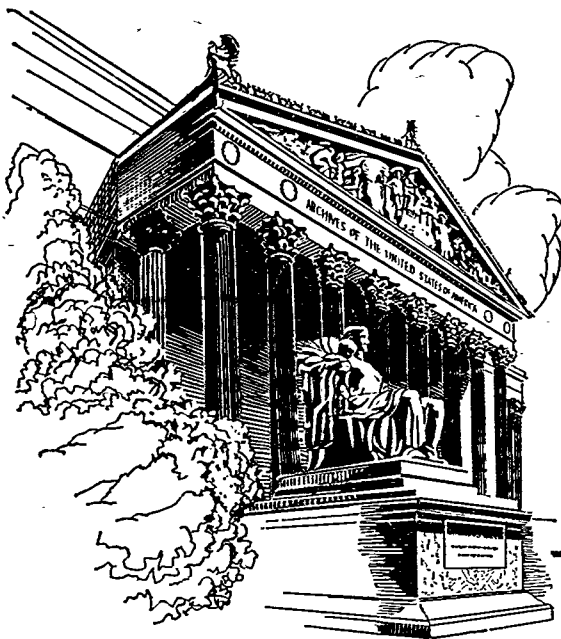
Friday, December 15, 1967 • Washington, D.C.

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Conservation Service
Atomic Energy Commission
Automotive Agreement Adjustment
Assistance Board
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Comptroller of the Currency
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Communications Commission
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Federal Home Loan Bank Board
Federal Power Commission
Food and Drug Administration
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Securities and Exchange Commission
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Wage and Hour Division

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Announcing First 10-Year Cumulation

TABLES OF LAWS AFFECTED

in Volumes 70-79 of the

UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

public laws enacted during the years 1956-1965. Includes index of popular name acts affected in Volumes 70-79.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1968 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

COUNTY RESERVES

Basis and purpose. Section 722.485 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes the county reserves for the 1968 crop of upland cotton. Such determinations were made initially by the respective county committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (28 F.R. 4368, 29 F.R. 16210, 30 F.R. 8756, 32 F.R. 11895).

Notice that the Secretary was preparing to establish State and county allotments and reserves was published in the FEDERAL REGISTER on August 9, 1967 (32 F.R. 11475), in accordance with 5 U.S.C. 553. No written submissions were received in response to such notice.

Since the establishment of county reserves requires immediate action by the county committees, it is essential that § 722.485 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest and § 722.485 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.485 County reserves for the 1968 crop of upland cotton.

The county reserves for the 1968 crop of upland cotton are established in accordance with § 722.409 of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended). The following table sets forth the county reserves:

ALABAMA			
County	County reserve (acres)	County	County reserve (acres)
Autauga	36.5	Butler	83.2
Baldwin	30.7	Calhoun	29.4
Barbour	148.1	Chambers	21.9
Bibb	2.4	Cherokee	25.6
Blount	68.3	Chilton	12.6
Bullock	45.4	Choctaw	196.8

ALABAMA—Continued

County	County reserve (acres)	County	County reserve (acres)
Clarke	151.2	Lee	77.1
Clay	10.4	Limestone	99.3
Cleburne	9.5	Lowndes	25.4
Coffee	44.9	Macon	64.4
Colbert	27.2	Madison	28.3
Concehuh	143.4	Marengo	139.6
Coosa	3.8	Marion	88.6
Covington	40.2	Marshall	14.5
Crenshaw	35.3	Mobile	13.1
Cullman	153.3	Monroe	18.6
Dale	64.9	Montgomery	77.3
Dallas	102.4	Morgan	12.9
De Kalb	7.6	Perry	17.1
Elmore	20.4	Pickens	12.0
Escambia	74.1	Pike	129.7
Etowah	41.7	Randolph	58.1
Fayette	41.4	Russell	27.0
Franklin	32.0	St. Clair	39.3
Geneva	36.0	Shelby	10.3
Greene	18.1	Sumter	58.4
Hale	13.0	Talladega	15.2
Henry	46.0	Tallapoosa	67.9
Houston	99.9	Tuscaloosa	36.9
Jackson	78.2	Walker	151.5
Jefferson	48.2	Washington	97.5
Lamar	44.0	Wilcox	37.1
Lauderdale	52.6	Winston	33.9
Lawrence	8.7		

ARIZONA

Cochise	14.2	Pima	2.8
Gila	0	Pinal	10.4
Graham	3.9	Santa Cruz	1.0
Greenlee	.7	Yavapai	0
Maricopa	14.0	Yuma	12.9
Mohave	1.0		

ARKANSAS

Arkansas	2.4	Lee	1.9
Ashley	2.6	Lincoln	2.6
Baxter	0	Little River	2.8
Boone	0.7	Logan	0
Bradley	0	Lonoke	2.8
Calhoun	.8	Marion	0
Chicot	2.7	Miller	.3
Clark	.2	Mississippi	2.2
Clay	2.6	Monroe	2.8
Cleburne	.3	Montgomery	4.2
Cleveland	.2	Nevada	.2
Columbia	23.0	Newton	0
Conway	.8	Ouachita	.3
Craighead	2.9	Perry	.3
Crawford	2.4	Phillips	2.7
Crittenden	1.4	Pike	0
Cross	4.4	Poinsett	2.1
Dallas	.9	Polk	3.4
Desha	2.6	Pope	.8
Drew	2.3	Prairie	2.3
Faulkner	.6	Pulaski	2.8
Franklin	.4	Randolph	2.3
Fulton	3.5	St. Francis	2.7
Garland	.4	Saline	2.8
Grant	.7	Scott	0
Greene	2.1	Searcy	.9
Hempstead	0	Sebastian	0
Hot Spring	38.5	Sevier	5.0
Howard	.8	Sharp	.9
Independence	.5	Stone	4.2
Izard	0	Union	13.3
Jackson	2.1	Van Buren	.1
Jefferson	2.3	Washington	0
Johnson	0	White	1.7
Lafayette	2.1	Woodruff	21.9
Lawrence	2.8	Yell	.7

CALIFORNIA

County	County reserve (acres)	County	County reserve (acres)
Fresno	41.6	Riverside	2.4
Imperial	29.6	San Benito	0
Kern	55.7	San Bernar-	
Kings	18.8	dino	4.9
Los Angeles	28.0	San Diego	1.1
Madera	34.8	Stanislaus	0
Merced	4.3	Tulare	75.8

FLORIDA

Alachua	0.3	Lafayette	1.5
Baker	0	Leon	71.3
Bay	3.0	Levy	0
Calhoun	1.1	Liberty	1.0
Clay	0	Madison	195.9
Columbia	44.9	Nassau	0
Dixie	0	Okaloosa	8.4
Escambia	97.4	Santa Rosa	16.9
Gadsden	12.2	Suwannee	104.2
Gilchrist	0	Taylor	0
Hamilton	55.8	Union	1.6
Holmes	37.1	Walton	84.2
Jackson	268.0	Washington	65.7
Jefferson	99.0		

GEORGIA

Appling	21.1	Echols	.2
Atkinson	10.5	Effingham	7.4
Bacon	11.1	Elbert	41.4
Baker	15.0	Emanuel	79.5
Baldwin	5.0	Evans	13.0
Banks	12.4	Fayette	11.4
Barrow	25.7	Floyd	40.4
Bartow	36.9	Forsyth	5.4
Ben Hill	24.6	Franklin	35.3
Berrien	16.8	Fulton	11.1
Bibb	8.1	Gilmer	.1
Bleckley	34.1	Glascock	23.0
Brantley	0	Gordon	46.3
Brooks	42.7	Grady	17.6
Bryan	2.9	Greene	6.0
Bulloch	69.4	Gwinnett	193.1
Burke	65.6	Habersham	.2
Butts	14.3	Hall	17.7
Calhoun	8.8	Hancock	40.9
Candler	31.4	Haralson	5.0
Carroll	49.8	Harris	10.3
Catoosa	4.3	Hart	55.0
Chariton	1.8	Heard	10.6
Chatham	.6	Henry	42.4
Chattahoo-		Houston	44.3
chee	2.2	Irwin	47.2
Chattooga	21.1	Jackson	30.2
Cherokee	20.9	Jasper	9.0
Clarke	8.6	Jeff Davis	10.9
Clay	16.8	Jefferson	40.7
Clayton	7.6	Jenkins	56.3
Clinch	1.7	Johnson	74.9
Cobb	85.2	Jones	10.6
Coffee	15.4	Lamar	7.5
Colquitt	100.7	Lanier	3.2
Columbia	5.2	Laurens	138.4
Cook	18.7	Lee	17.6
Coweta	50.0	Liberty	1.8
Crawford	8.1	Lincoln	8.7
Crisp	49.6	Long	2.5
Dade	10.4	Lowndes	15.9
Dawson	.5	Lumpkin	.2
Decatur	48.2	McDuffie	30.3
De Kalb	3.9	McIntosh	.1
Dodge	68.8	Macon	56.8
Dooly	34.9	Madison	47.5
Dougherty	19.1	Marion	19.0
Douglas	28.8	Meriwether	54.2
Early	31.2	Miller	7.2

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ILLINOIS

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Alexander, Massac, Pulaski.

KANSAS

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Montgomery, Pulaski.

KENTUCKY

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, McCracken, Marshall.

LOUISIANA

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Acadia, Allen, Ascension, Assumption, Avoyelles, Beaufort, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, De Soto, East Baton Rouge, East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson, Davis, Lafayette, La Salle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, St. Helena, St. Landry, St. Martin, St. Tammany, Tangipahoa, Tensas, Union, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana, Winn.

MISSISSIPPI

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Adams, Alcorn, Amite, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw.

MISSISSIPPI—Continued

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Claiborne, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hancock, Harrison, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Leake, Lee, Leflore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pike, Pontotoc, Prentiss, Quitman, Rankin, Scott, Sharkey, Simpson, Smith, Stone, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Walthall, Warren, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, Yazoo.

MISSOURI

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Howell, Mississippi, New Madrid, Oregon, Pemiscot, Ripley, Scott, Stoddard, Vernon, Wayne.

NEVADA

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Clark, Nye.

NEW MEXICO

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Chaves, Curry, De Baca, Dona Ana, Eddy, Grant, Harding, Hidalgo, Lea, Luna, Otero, Quay, Roosevelt, Sierra, Socorro.

NORTH CAROLINA

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Alamance, Alexander, Anson, Beaufort, Bertie, Bladen, Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba, Chatham, Chowan, Cleveland, Columbus, Craven, Cumberland, Davidson, Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Granville, Greene, Guilford, Halifax, Harnett, Hertford, Hoke, Hyde, Iredell, Johnston, Jones, Lee, Lenoir, Lincoln.

NORTH CAROLINA—Continued

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Martin, Mecklenburg, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Polk, Randolph, Richmond, Robeson, Rowan, Rutherford, Sampson, Scotland, Stanly, Tyrell, Union, Vance, Wake, Warren, Washington, Wayne, Wilkes, Wilson, Yadkin.

OKLAHOMA

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Adair, Atoka, Beaver, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Cherokee, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Haskell, Hughes, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Latimer, LeFlore, Lincoln, Logan, Love, McClain, McCurtain, McIntosh, Major, Marshall, Mayes, Murray, Muskogee, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Rogers, Seminole, Sequoyah, Stephens, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woodward.

SOUTH CAROLINA

Table with 4 columns: County, County reserve (acres), County, County reserve (acres). Lists Abbeville, Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Cherokee, Chester, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Edgefield, Fairfield, Florence, Georgetown, Greenville, Greenwood, Hampton, Horry, Jasper, Kershaw, Lancaster, Laurens, Lee, Lexington, McCormick, Marion, Marlboro, Newberry, Oconee, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, Williamsburg, York.

TENNESSEE

County	County reserve (acres)	County	County reserve (acres)
Bedford	20.8	Lewis	3.2
Benton	73.1	Lincoln	.9
Bradley	10.8	Loudon	0
Cannon	.4	McMinn	5.2
Carroll	15.7	McNairy	10.6
Chester	19.1	Madison	41.4
Coffee	104.8	Marion	1.2
Crockett	55.2	Marshall	8.3
Decatur	80.5	Maury	8.4
Dyer	41.2	Meigs	2.6
Fayette	54.2	Moore	5.0
Franklin	32.2	Obion	6.2
Gibson	62.2	Perry	8.3
Giles	116.8	Polk	9.8
Grundy	1.4	Rhea	0
Hamilton	15.2	Robertson	0
Hardeman	33.8	Rutherford	1.6
Hardin	1.0	Shelby	18.4
Haywood	17.6	Tipton	62.3
Henderson	10.3	Warren	.2
Henry	48.5	Wayne	97.4
Humphreys	0	Weakley	13.9
Lake	16.0	Williamson	0
Lauderdale	31.6	Wilson	4.2
Lawrence	3.5		

TEXAS

Anderson	79.9	Dawson	12.8
Andrews	8.1	Deaf Smith	17.5
Angelina	184.6	Delta	49.6
Aransas	.7	Denton	91.8
Archer	21.2	DeWitt	60.7
Armstrong	2.8	Dickens	1.9
Atascosa	101.3	Dimmit	9.6
Austin	24.1	Donley	0.8
Bailey	22.9	Duval	5.5
Bastrop	145.5	Eastland	62.3
Baylor	12.4	Ector	29.9
Bee	18.7	Ellis	431.0
Bell	102.5	El Paso	34.8
Bexar	19.6	Erath	65.9
Blanco	.1	Falls	244.4
Borden	.8	Fannin	212.7
Bosque	90.9	Fayette	300.1
Bowie	33.9	Fisher	28.6
Brazoria	13.3	Floyd	28.6
Brazos	11.7	Foard	3.2
Brewster	0	Fort Bend	11.3
Briscoe	25.0	Franklin	25.9
Brooks	12.3	Freestone	26.8
Brown	29.2	Frio	8.7
Burleson	182.8	Gaines	99.0
Burnet	15.8	Galveston	.6
Caldwell	24.5	Garza	11.2
Callahan	10.1	Gillespie	24.7
Callahan	31.3	Glasscock	.1
Cameron	17.7	Goliad	6.7
Camp	4.8	Gonzales	25.0
Carson	4.8	Gray	5.0
Cass	42.9	Grayson	112.9
Castro	12.1	Gregg	17.6
Chambers	2.2	Grimes	27.7
Cherokee	11.0	Guadalupe	47.4
Childress	133.5	Hale	44.4
Clay	24.4	Hall	11.1
Cochran	11.5	Hamilton	46.4
Coke	4.0	Hansford	.9
Coleman	145.4	Hardeman	35.8
Collin	182.1	Hardin	3.4
Collingsworth	39.9	Harris	35.6
Colorado	64.0	Harrison	48.0
Comal	9.9	Hartley	0
Comanche	42.6	Haskell	244.1
Concho	40.3	Hays	17.7
Cooke	75.4	Hemphill	4.4
Coryell	93.6	Henderson	72.7
Cottle	7.7	Hidalgo	275.2
Crockett	0	Hill	296.6
Crosby	14.6	Hockley	4.8
Culberson	1.7	Hood	50.2
Dallam	2.7	Hopkins	22.0
Dallas	298.4	Houston	480.9
		Howard	4.9

TEXAS—Continued

County	County reserve (acres)	County	County reserve (acres)
Hudspeth	4.4	Pecos	4.1
Hunt	149.9	Polk	11.2
Hutchinson	.2	Potter	1.1
Irion	1.7	Presidio	.5
Jack	22.8	Rains	18.9
Jackson	15.4	Randall	1.3
Jasper	10.0	Reagan	7.8
Jeff Davis	0	Real	.6
Jefferson	1.4	Red River	34.0
Jim Hogg	66.2	Reeves	4.5
Jim Wells	29.0	Refugio	15.9
Johnson	370.2	Roberts	.1
Jones	66.5	Robertson	7.6
Karnes	19.9	Rockwall	219.3
Kaufman	85.5	Runnels	95.0
Kendall	0	Rusk	87.8
Kent	4.1	Sabine	163.6
Kerr	3.3	San	
Kimble	2.7	Augustine	60.8
King	.1	San Jacinto	22.3
Kinney	31.8	San Patricio	31.3
Kleberg	17.9	San Saba	28.6
Knox	22.9	Schleicher	4.2
Lamar	36.7	Scurry	5.5
Lamb	22.1	Shackelford	17.1
Lampasas	20.8	Shelby	449.9
La Salle	6.3	Smith	354.0
Lavaca	76.8	Somervell	21.3
Lee	28.8	Starr	78.5
Leon	28.0	Stephens	8.6
Liberty	155.0	Sterling	2.0
Limestone	141.0	Stonewall	2.8
Live Oak	19.4	Swisher	1.4
Llano	1.0	Tarrant	27.5
Loving	.1	Taylor	18.5
Lubbock	63.2	Terry	2.2
Lynn	1.2	Throckmorton	36.6
McCulloch	34.4	Titus	201.9
McLennan	456.9	Tom Green	51.1
McMullen	5.6	Travis	178.6
Madison	20.1	Trinity	16.6
Marion	49.1	Tyler	31.2
Martin	3.7	Upshur	108.4
Mason	9.8	Upton	1.3
Matagorda	3.9	Uvalde	20.1
Maverick	10.2	Val Verde	2.0
Medina	25.5	Van Zandt	229.0
Menard	13.4	Victoria	22.7
Midland	6.6	Walker	1.8
Milam	134.6	Waller	10.2
Mills	21.1	Ward	1.9
Mitchell	13.0	Washington	154.7
Montague	27.5	Webb	11.4
Montgomery	31.7	Wharton	24.3
Moore	2.0	Wheeler	13.7
Morris	105.3	Wichita	14.8
Motley	5.2	Willbarger	48.3
Nacogdoches	58.2	Willacy	8.7
Navarro	174.5	Williamson	73.4
Newton	40.3	Wilson	51.7
Nolan	14.4	Winkler	0
Nueces	44.1	Wise	34.7
Ochiltree	5.9	Wood	312.7
Oldham	0	Yoakum	40.9
Palo Pinto	25.8	Young	42.8
Panola	94.3	Zapata	9.0
Parker	51.7	Zavala	10.7
Parmer	20.6		

VIRGINIA

Brunswick	56.1	Prince	
Charlotte	0.7	Edwards	.2
Dinwiddie	29.8	Prince	
Greenville	15.6	George	5.2
Henrico	0	Southampton	43.9
Isle of Wight	23.6	Surry	.6
Lunenburg	12.5	Sussex	19.5
Mecklenburg	31.3		
Nansemond	45.8		

(Secs. 344, 375, 63 Stat. 670, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on December 7, 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-14522; Filed, Dec. 14, 1967; 8:45 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Grapefruit Reg. 66, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as herein after provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective upon publication in the FEDERAL REGISTER. Shipments of grapefruit are currently regulated pursuant to Grapefruit Regulation 66, as amended (32 F.R. 12907, 16525) and, unless sooner terminated or modified, will continue to be so regulated through September 8, 1968; determinations as to need for, and

extent of, regulation under § 905.52 (a) (3) of the order must await the development of the crop and the availability of information about the demand for such fruit; the recommendation and supporting information for limiting the total quantity of fresh grapefruit by prohibiting the shipment thereof, pursuant to said section, during the period December 21 through December 27, 1967, as herein provided, were promptly submitted to the Department after an open meeting on November 28, 1967, to consider recommendations for such regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committee has been disseminated among shippers of grapefruit grown in the production area, and this regulation, including the effective time thereof, is identical with the recommendation of the committees; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit grown in the production area; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof. No useful purpose would be served by postponing the effective time hereof to a date later than that of publication in the FEDERAL REGISTER.

Order. In § 905.495 (Grapefruit Reg. 66, 32 F.R. 12907, 16525), the provisions of paragraph (d) are amended in the following respects.

1. The provisions of subparagraph (1) immediately preceding subdivision (i) thereof are revised to read as follows:

(1) Except as otherwise provided in subdivision (vii) of this subparagraph, during the period September 11, 1967, through September 8, 1968, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

2. The following provisions are added as subdivision (vii) immediately after subdivision (vi):

(vii) During the period December 21, 1967, through December 27, 1967, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any grapefruit grown in the production area.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated December 12, 1967, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-14585; Filed, Dec. 14, 1967; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Water and Sewer Improvement Bonds, Series 1967, of the Northwest Houston Water Supply Corp.

§ 1.203 Water and Sewer Improvement Bonds, Series 1967, of the Northwest Houston Water Supply Corp.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$2,200,000 Water and Sewer Improvement Bonds, Series 1967, of the Northwest Houston Water Supply Corp. for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Northwest Houston Water Supply Corp. was organized at the request and for the benefit of the City of Houston as a nonprofit water supply corporation under a provision of Texas law which authorizes the formation of such a corporation for the exclusive purpose of furnishing a water supply or sewer service or both to cities and others. The Corporation is authorized to issue bonds to finance the acquisition of water and sewer projects. A city is authorized by law to enter into a contract for the purchase of water and sewer systems from such a corporation and to agree to make periodic payments to the corporation in amounts which together with other income of the corporation will be sufficient to pay the principal of and interest on the bonds of the corporation. The law also authorizes a city to provide for the levying of a tax to make such payments.

(2) The Corporation has entered into a contract with the City of Houston under which the Corporation will finance and construct a water and sewer system for a suburban area immediately adjacent to the City and the City will annex the area and purchase the system. Construction of the project will be assisted by a federal grant of \$1 million. The Corporation is issuing these bonds to finance the remaining costs.

(3) In the purchase contract the City has unconditionally promised to make periodic payments to the corporation in amounts which will be sufficient to pay the principal of and interest on these bonds. The contract also provides that the periodic payments shall be payable from a continuing, direct annual ad valorem tax on all taxable property in the City sufficient to make such payments in each year and the City has by ordinance levied such a tax. The City which possesses general powers of taxation has

thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion, therefore, that the \$2,200,000 Water and Sewer Improvement Bonds, Series 1967, of the Northwest Houston Water Supply Corp. are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and, accordingly, are eligible for purchase, dealing in, underwriting and unlimited holding by national banks.

Dated: December 7, 1967.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 67-14590; Filed, Dec. 14, 1967; 8:48 a.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 21,182]

PART 545—OPERATIONS

Bonus Plans

DECEMBER 7, 1967.

Resolved that, notice and public procedure having been duly afforded (32 F.R. 14283) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and for the purpose of authorizing a new 48-to-96-month bonus plan for Federal savings and loan associations to supersede, as to future monthly payment bonus accounts, the existing plans now authorized, hereby amends Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) as follows, effective January 15, 1968:

1. Paragraph (d) of § 545.2-1 of the rules and regulations for the Federal Savings and Loan System is amended to read as follows:

§ 545.2-1 Bonus on savings accounts.

* * * * *

(d) *Abolition of bonus plan.* The bonus plan provided by this section is abolished except as to accounts opened prior to January 15, 1968.

2. A new section, § 545.2-2, is added immediately after § 545.2-1, as revised, to read as follows:

§ 545.2-2 48-to-96-month bonus plan.

(a) *Offering the plan.* A Federal association may offer the bonus plan under this section by a resolution of its board of directors if the plan is consistent with its charter, and a Federal association shall offer the bonus plan under this section if its bylaws include the provisions of paragraph (f) of § 544.6 of this chapter.

(b) *Qualification for bonus.* An account qualifies under this section if:

- (1) At the time the account is opened, the member gives to the association a signed statement of intention to make regular monthly payments of a specified amount to the account;
- (2) The member opens the account by making the first monthly payment;
- (3) The member makes the regular monthly payments without delay of more than 90 days as to any such payment; and
- (4) No withdrawals have been made from the account.

(c) *Bonus rate.* The association's board of directors shall determine a bonus rate not in excess of 1 percent per annum, subject to the following provisions:

- (1) A reduction in the bonus rate shall not apply to accounts which were opened prior to the effective date of the reduction;
- (2) An increased bonus rate shall apply to all accounts which qualify under this section from the effective date of the increase; and
- (3) A change in the bonus rate may become effective only at the beginning of a future distribution period.

(d) *Bonus earnings.* (1) A bonus is earned on and shall be credited together with all other earnings, to accounts which qualify under this section:

- (i) At one-half of the bonus rate for distribution periods which begin during the 48-month period from the date the account is opened, but no bonus for the first 12 months of such period shall be earned or credited until the end of the distribution period in which the expiration of such first 12-month period occurs; and
- (ii) At the full bonus rate for distribution periods which begin 48 months or more from the date the account is opened, but no bonus is earned for any distribution period which begins 96 months or more from such date.

(2) A bonus earned under this section shall be computed as of the same dates and in the same manner as are other earnings for distribution.

(3) A bonus shall not be earned under this section on any account which earns any other bonus or a variable rate.

(e) *Prepayment of regular monthly payment.* The association shall not accept a prepayment of a regular monthly payment more than 90 days in advance.

(f) *Options with respect to the plan.* The association's board of directors may, by resolution, with respect to accounts not opened on or before the date of such resolution:

- (1) Terminate the plan under this section if the association's bylaws do not include the provisions of paragraph (f) of § 544.6; or

(2) Fix either or both a minimum and maximum amount of regular monthly payments.

(g) *Certificate.* The association shall issue, to each member who opens an account pursuant to this section, a certificate attached to or incorporated in an account book and containing the following language:

This certifies that (name of member) holds a 48-to-96-Month Bonus Plan Account which is subject to the provisions of § 545.2-2 of the rules and regulations for the Federal Savings and Loan System.

(h) *Existing bonus rights.* A Federal association which, prior to January 15, 1968, has outstanding bonus agreements shall continue to respect the provisions thereof and distribute bonus payments thereunder. On or after such date, no Federal association shall make any bonus agreement other than as provided in this section or in paragraph (b) of § 545.3.

3. Subparagraph (4) of paragraph (a) of § 545.3 of the rules and regulations for the Federal Savings and Loan System is amended.

4. Paragraph (c) of § 545.3 of the rules and regulations for the Federal Savings and Loan System is revoked.

§ 545.3 Bonus on monthly payment and fixed-balance accounts.

(a) * * *

(4) The bonus plan provided by this paragraph is abolished except as to accounts opened prior to January 15, 1968.

* * * * *

(c) [Revoked]

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1948-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-14586; Filed, Dec. 14, 1967; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 8015, Amdt. 39-523]

PART 39—AIRWORTHINESS DIRECTIVES

Allison-Aero Products Models A6441FN-606, A6441FN-606A Propellers

Amendment 39-417 (32 F.R. 7124), AD 67-17-1, requires daily inspection, or replacement where necessary, of Allison-

Aero Products Models A6441FN-606 and A6441FN-606A Propellers in which were installed fixed splines Part No. 6522974, Serial Nos. 1367 and up, or Part Nos. 6523110 and 6509978. Amendment 39-481 (32 F.R. 13268, 13269) added a paragraph (e) to the AD requiring the marking and inspection as outlined in paragraphs (b) and (c) of AD 67-17-1 of those propellers in which fixed spline Part No. 6508538 are installed and which do not have the restrictors required by AD 67-20-1.

Amendment 39-439 (32 F.R. 9219) as amended by Amendment 39-466 (32 F.R. 12110), AD 67-20-1, requires modification of the aforementioned propellers by replacing the master gear retention bolts with higher strength bolts bearing Part Number 6859881 bolts, as outlined in Allison's Propeller Bulletin, CPB No. 63-317.

Both AD 67-17-1 and AD 67-20-1 were made applicable to those Allison-Aero Products Models A6441FN-606 and A6441FN-606A Propellers installed on Allison Convair Model 340/440 airplanes modified in accordance with STC SA4-110 or Lockheed Model L-188 series airplanes. After issuing AD 67-17-1 and AD 67-20-1, and amendments, it has been determined that the unsafe conditions to which the ADs relate can involve all Allison-Aero Products Models A6441FN-606 and A6441FN-606A Propellers and are not necessarily limited to those installed in Allison-Convair 340/440 or Lockheed Model L-188 series airplanes. Consequently, the ADs are being amended to make them applicable to all such Allison-Aero Products Models Propellers.

Since immediate action is required in the interest of safety, compliance with the notice and public procedures provisions of the Administrative Procedures Act is not practicable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697) § 39.13 of Part 39 of the Federal Aviation Regulations, amendment 39-417 (32 F.R. 7124) as amended by amendment 39-481 (32 F.R. 13268, 13269), AD 67-17-1, and amendment 39-439 (32 F.R. 9219) as amended by amendment 39-466 (32 F.R. 12110), AD 67-20-1, are amended by revising the applicability statements of these ADs to read as follows:

ALLISON-AERO PRODUCTS. Applies to Models A6441FN-606 and A6441FN-606A Propellers.

This amendment becomes effective December 15, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421 and 1423)

Issued in Kansas City, Mo., on December 6, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-14561; Filed, Dec. 14, 1967; 8:46 a.m.]

RULES AND REGULATIONS

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8566; Amdt. 572]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CLT VOR	LOM	Direct	2300	T-dn#	300-1	300-1	200-1/2
Fort Mill VOR	Clover Int	Direct	2300	C-dn	500-1	500-1	500-1 1/2
Clover Int	LOM (final)	Direct	2300	S-dn-5	400-1	400-1	400-1
York Int	Clover Int	Direct	2300	A-dn	800-2	800-2	800-2
Bradley Int	LOM	Direct	2900				
Mount Holly Int	LOM	Direct	2300				
Bethany Int	LOM	Direct	2300				

Radar available.
 Procedure turn N side of SW crs, 230° Outbnd, 050° Inbnd, 2300' within 10 miles.
 Minimum altitude over LOM Inbnd final, 2300'.
 Crs and distance, facility to airport, 050°—4.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles of LOM, climb to 3000' on crs of 050° from LOM within 15 miles or, when directed by ATC, turn left, climb to 3000' on FML VOR R 007° to Mount Holly Int.
 # RVR 2400' authorized Runway 5 for aircraft with more than two engines; RVR 5000' aircraft two engines or less.
 MSA within 25 miles of facility: 000°-090°-3000'; 090°-180°-2200'; 180°-270°-2100'; 270°-360°-2900'.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748'; Fac. Class., LOM; Ident., CL; Procedure No. NDB(ADF) Runway 5, Amdt. 20; Eff. date, 6 Jan. 68; Sup. Amdt. No. 19; Dated, 28 Jan. 67

EUG VOR	LOM	Direct	2700	T-dn%	300-1	300-1	200-1/2
CVO VOR	LOM	Direct	3200	C-dn	500-1	500-1	500-1 1/2
				S-dn-16	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 339° Outbnd, 159° Inbnd, 2100' within 10 miles. Final approach from holding pattern at EU LOM not authorized, procedure turn required.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 159°—3.7 miles.
 NOTE: All turns to be made on the E side of the crs; high terrain to W.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing EU LOM, turn right and climb direct to EU LOM, thence continue climb to 2600' on crs, 339° Outbnd, 159° Inbnd, within 10 miles of EU LOM or, when directed by ATC, turn right, climb to 3100' on R 252° EUG VOR within 10 miles.
 CAUTION: High terrain E and W.
 %Takeoffs all runways: Climb on the EUG VOR R 355° within 10 miles to cross the EUG VOR, southeastbound, V23, 900'; southbound V23W, 900'; westbound R 252°, 1000'.
 MSA within 25 miles of facility: 000°-180°-4900'; 180°-270°-4500'; 270°-360°-5100'.

City, Eugene; State, Ore.; Airport name, Mahlon Sweet Field; Elev., 365'; Fac. Class., LOM; Ident., EU; Procedure No. NDB(ADF) Runway 16, Amdt. 17; Eff. date, 4 Jan. 68; Sup. Amdt. No. ADF1, Amdt. 16; Dated, 16 July 66

MKC VOR	MC LOM	Direct	2600	T-dn	300-1	300-1	200-1/2
Farley Int	MC LOM	Direct	2800	C-dn	500-1	500-1	500-1 1/2
Lansing Int	MC LOM	Direct	2800	S-dn-36	400-1	400-1	400-1
Bonner Springs Int	MC LOM	Direct	2600	A-dn	800-2	800-2	800-2
Camden Int	MC LOM	Direct	2600				
BSP VOR	MC LOM	Direct	3000				

Radar available.
 Procedure turn W side of crs, 185° Outbnd, 005° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2300'.
 Crs and distance, facility to airport, 005°—4.4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing LOM, climb to 2800' on bearing 005°. Proceed to Camden Int or, when directed by ATC, turn left, climbing to 2600' proceed to MC LOM.
 MSA within 25 miles of facility: 000°-090°-2500'; 090°-180°-3100'; 180°-360°-2700'.

City, Kansas City; State, Mo.; Airport name, Mid-Continent International; Elev., 1025'; Fac. Class., LOM; Ident., MC; Procedure No. NDB(ADF) Runway 36, Amdt. 4; Eff. date, 4 Jan. 68; Sup. Amdt. No. ADF 1, Amdt. 3; Dated, 10 Sept. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Wilmington VOR.....	LOM.....	Direct.....	1500	T-dn.....	%300-1	%300-1	#200-1½
Swamp Int.....	LOM.....	Direct.....	1600	C-dn.....	500-1	500-1	500-1½
				S-dn-34.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of S crs, 163° Outbnd, 343° Inbnd, 1600' within 10 miles.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 343°—4.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, climb to 1600' on crs 343° within 15 miles or, when directed by ATC, make left turn to 270° climbing to 1600'. Intercept ILM VORTAC R 238° and proceed to Swamp Int.
 %RVR 5000' authorized Runway 34.
 #RVR 2400' authorized Runway 34.
 MSA within 25 miles of facility: 000°-090°-1500'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2100'.

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Fac. Class., LOM; Ident., IL; Procedure No. NDB (ADF) Runway 34, Amdt. 5; Eff. date, 6 Jan. 68; Sup. Amdt. No. ADF 1, Amdt. 5; Dated, 17 July 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RMG RBn.....	RMG VOR.....	Direct.....	3000	T-dn.....	300-1	300-1	NA
Dalton Int.....	RMG VOR.....	Direct.....	3000	C-d#.....	700-1	700-1	NA
Kennesaw Int.....	RMG VOR.....	Direct.....	3000	C-n#.....	700-2	700-2	NA
				A-dn.....	NA	NA	NA

Procedure turn E side of crs, 009° Outbnd, 189° Inbnd, 3000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1700'.
 Crs and distance, facility to airport, 189°—8.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.5 miles after passing RMG VOR, make climbing right turn to 3000', proceed to RMG VOR. Hold SE on R 169°, 1-minute right turns, 349° Inbnd.
 Note: For IFR clearances, contact Atlanta FSS by transmitting on appropriate frequency and receiving on RMG VOR.
 #Use Atlanta altimeter 1400 to 0600 local. Use RMG altimeter 0600 to 1400 local.
 MSA within 25 miles of facility: 000°-090°-4300'; 090°-180°-3800'; 180°-270°-4100'; 270°-360°-3500'.

City, Cedartown; State, Ga.; Airport name, Polk County; Elev., 970'; Fac. Class., L-BVOR; Ident., RMG; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 4 Jan. 68

12-mile DME Fix, R 010° counterclockwise.....	12-mile DME Fix, R 347°.....	12-mile DME Arc.....	2700	T-dn%.....	300-1	300-1	200-1½
12-mile DME Fix, R 352° clockwise.....	12-mile DME Fix, R 347°.....	12-mile DME Arc.....	2700	C-dn.....	800-1	800-1	800-1½
12-mile DME Fix, R 347°.....	4-mile DME Fix, R 347° (final).....	Direct.....	1200	A-dn.....	800-2	800-2	800-2
				ADF/VOR or DME minimums:			
				C-dn.....	500-1	500-1	500-1½
				S-dn-16#.....	400-1	400-1	400-1

Procedure turn W side of crs, 347° Outbnd, 167° Inbnd, 2700' within 10 miles.
 Final approach from holding pattern at EUG VOR not authorized, procedure turn required.
 Minimum altitude over Junction City Int/EUG R 347°, 4-mile DME Fix on final approach crs, 1165'.
 Crs and distance, Junction City Int/EUG R 347°, 4-mile DME Fix to airport, 167°—3.4 miles; breakoff point to approach end on Runway 16, 159°—0.6 mile (MM).
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing EUG VOR, turn right, climb to 2600' on R 355° within 10 miles or, when directed by ATC, turn right and climb to 4000' on R 252° EUG VOR, within 10 miles of EUG VOR.
 CAUTION: High terrain E and W.
 #400-1½ authorized with operative HIRL, except for 4-engine turbojets. 400-1½ authorized with operative ALS, except for 4-engine turbojets.
 %Takeoffs all runways: Climb on the Eugene VOR R 355°, within 10 miles to cross the EUG VOR, southeastbound V23 and southbound V23W, 900'; westbound R 252°, 1000'.
 MSA within 25 miles of facility: 000°-180°-4900'; 180°-270°-4500'; 270°-360°-5100'.

City, Eugene; State, Oreg.; Airport name, Mahlon Sweet Field; Elev., 365'; Fac. Class., L-BVORTAC; Ident., EUG; Procedure No. VOR Runway 16, Amdt. 11; Eff. date, 4 Jan. 68; Sup. Amdt. No. VOR-16, Amdt. 10; Dated, 24 Sept. 66

MKC VOR, R 012° clockwise.....	MKC VOR, R 088°.....	Via 7-mile DME Arc.....	2600	T-dn#.....	300-1	300-1	200-1½
MKC VOR, R 149°, counterclockwise.....	MKC VOR, R 088°.....	Via 7-mile DME Arc.....	2600	C-dn.....	500-1	500-1	500-1½
7-mile DME Fix MKC VOR, R 088°.....	MKC VOR (final).....	Direct.....	2600	S-dn-27.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radars available.
 Procedure turn N side of crs, 088° Outbnd, 268° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2500'.
 Crs and distance, facility to airport, 268°—4.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing MKC VOR, climb to 2700' on MKC VOR R 268°, intercept STJ VOR R 170° and proceed S to Lansing Int.
 #RVR 2400' authorized Runway 36.
 MSA within 25 miles of facility: 090°-270°-3100'; 270°-090°-2500'.

City, Kansas City; State, Mo.; Airport name, Mid-Continent International; Elev., 1025'; Fac. Class., H-BVORTAC; Ident., MKC; Procedure No. VOR Runway 27, Amdt. Orig.; Eff. date, 4 Jan. 68

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VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Pawling VORTAC.....	Kingston VOR.....	Direct.....	3000	T-dn..... C-dn..... S-dn..... A-dn.....	300-1 700-1 NA	300-1 700-1 NA	NA NA NA NA

Radars available.
 Procedure turn not authorized; descend to 2300' in Kingston VOR holding pattern. 1-minute left turns, 070° Inbnd.
 Minimum altitude over facility on final approach crs, 2300'.
 Crs and distance, facility to airport, 070°—4.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing IGN VON, make left-climbing turn, proceed direct to IGN VOR climbing to 2300'. Hold SW, R 250°, 1-minute left turns, 070° Inbnd.
 NOTE: Use Poughkeepsie FSS altimeter setting.
 MSA within 25 miles of facility: 000°-090°—3400'; 090°-180°—2600'; 180°-270°—2800'; 270°-360°—4200'.
 City, Millbrook; State, N.Y.; Airport name, Sky Acres; Elev., 700'; Fac. Class., L-BVOR; Ident., IGN; Procedure No. VOR-1, Amdt. 1; Eff. date, 6 Jan. 63; Sup. Amdt. No. VOR-1, Orig.; Dated, 26 Aug. 67

				T-dn.....	300-1	300-1	200-1/2
				C-dn&\$.....	500-1	500-1	500-1 1/2
				S-dn-31@&\$.....	500-1	500-1	500-1
				A-dn&\$.....	800-2	800-2	800-2
				Fan Marker minimums:			
				S-dn-31@&\$.....	400-1	400-1	400-1

Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 3000' within 10 miles.
 Minimum altitude over Norfolk Fan Marker on final approach crs, 2071'.
 Facility on airport.
 Crs and distance, Fan Marker to airport, 315°—2.9 miles. Breakoff point to Runway 31, 313°—0.9 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing OFK VOR, climb to 3000' on OFK R 315° within 10 miles and return to OFK VOR.
 NOTE: Use Sioux City, Iowa, altimeter setting when control zone not effective.
 @Reduction not authorized for nonstandard R.E.L.
 &These minimums apply at all times for air carriers with approved weather reporting service.
 §Circling and straight-in ceiling minimums are raised 200' and alternate minimums are not authorized when control zone not effective.
 MSA within 25 miles of facility: 000°-090°—3900'; 090°-180°—3100'; 180°-270°—4500'; 270°-360°—3300'.
 City, Norfolk; State, Nebr.; Airport name, Karl Stefan Memorial; Elev., 1571'; Fac. Class., L-BVOR; Ident., OFK; Procedure No. VOR Runway 31, Amdt. 3; Eff. date, 6 Jan. 63; Sup. Amdt. No. 2; Dated, 14 Oct. 67

Oxford Int.....	RKA VOR (final).....	Direct.....	3800	T-dn.....	500-1	500-1	NA
				C-dn.....	900-1	900-1	NA
				S-dn-6.....	900-1	900-1	NA
				A-dn.....	NA	NA	NA

Procedure turn S side of crs, 258° Outbnd, 078° Inbnd, 3800' within 10 miles.
 Minimum altitude over facility on final approach crs, 3800'.
 Crs and distance, facility to airport, 078°—8.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.2 miles after passing RKA VOR, make climbing left turn to 3900' direct to RKA VOR. Hold W of RKA VOR, 1-minute right turns, 078° Inbnd.
 NOTE: Use Utica altimeter setting.
 MSA within 25 miles of facility: 000°-090°—3500'; 090°-180°—4400'; 180°-270°—3900'; 270°-360°—3300'.
 City, Oneonta; State, N.Y.; Airport name, Municipal; Elev., 1765'; Fac. Class., L-BVOR; Ident., RKA; Procedure No. VOR Runway 6, Amdt. 1; Eff. date, 6 Jan. 63; Sup. Amdt. No. VOR-1, Orig.; Dated, 12 Nov. 66

				T-dn.....	300-1	300-1	
				C-dn.....	600-1	600-1	
				A-dn.....	NA	NA	

Procedure turn N side of crs, 096° Outbnd, 276° Inbnd, 2800' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'.
 Crs and distance, facility to airport, 276°—4.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing MFD VOR, make right-climbing turn to 2800', proceed to MFD VOR. Hold E, 1-minute right turn, 281° Inbnd.
 NOTE: Use Mansfield, Ohio, altimeter setting.
 MSA within 25 miles of facility: 000°-090°—2600'; 090°-270°—2800'; 270°-360°—2400'.
 City, Shelby; State, Ohio; Airport name, Shelby Community; Elev., 1122'; Fac. Class., L-BVORTAC; Ident., MFD; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 6 Jan. 63

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 6 JAN. 1968.
 City, Charleston; State, S.C.; Airport name, John's Island; Elev., 16'; Fac. Class., BVORTAC; Ident., CHS; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 28 Apr. 66

RULES AND REGULATIONS

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VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 230° DHN VORTAC clockwise.....	R 328°.....	13-mile Arc DHN R 318°, lead radial.	2000	T-dn..... C-dn..... S-dn-13..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1½ 500-1½ 500-1 800-2
R 060° DHN VORTAC counter clockwise.....	R 328°.....	13-mile Arc DHN R 338°, lead radial.	2000				
13-mile DME Fix, R 328°.....	10-mile DME Fix (final).....	Via DHN R 328°..	2000				

Radar available.
 No procedure turn. Approach crs starts at 10-mile DME/Radar Fix, R 328°.
 Minimum altitude over 10-mile DME/Radar Fix on final approach crs, 2000'; over 6-mile DME/Radar Fix, 1600'.
 Crs and distance, 6-mile DME/Radar Fix to airport, 148°—3.1 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3-mile DME/Radar Fix, climb to 2000', proceed direct to DHN VORTAC, hold SE on R 150° DHN VORTAC, 1-minute left turns, 330° Inbnd or Radar vector at 2000' as directed by ATC.
 Charting information only: Final approach crs intercepts Runway CL 3000' from threshold.
 CAUTION: Water tank 55' MSL on missed approach radial 0.45 mile from MAP.
 MSA within 25 miles of facility: 000°-090°-2600'; 090°-180°-2600'; 180°-270°-1800'; 270°-360°-1800'.

City, Dothan; State, Ala.; Airport name, Dothan; Elev., 398'; Fac. Class., L-BVORTAC; Ident., DHN; Procedure No. VOR/DME Runway 13, Amdt. Orig.; Eff. date, 4 Jan. 68

26-mile DME Fix, R 152°.....	14-mile DME Fix, R 152°.....	Direct.....	3100	T-dn%..... C-dn..... S-dn-34..... A-dn.....	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1½ 500-1½ 400-1 800-2
Vaughn VHF/DME Int counterclockwise.....	14-mile DME Fix, R 152°.....	14-mile DME Arc.	3100				

Procedure turn not authorized. Approach crs starts at 14-mile DME Fix, EUG R 152°.
 Minimum altitude over 14-mile DME Fix, R 152° on final approach crs, 3100'; over 9-mile DME Fix, R 152°, 2500'; over 5-mile DME Fix, R 152°, 1800'; over 2.5-mile DME Fix, R 152°, 1000'.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of EUG VOR, climb to 2600' on EUG R 355° within 10 miles; or, when directed by ATC, climb to 4000' on EUG R 355° within 10 miles.
 %Takeoff all runways: Climb on EUG VOR R 355° within 10 miles to cross EUG VOR for direction of flight; southeastbound V23 and V23W, southbound 900', R 252°; westbound 1000'.
 MSA within 25 miles of facility: 000°-180°-4900'; 180°-270°-4500'; 270°-360°-5100'.

City, Eugene; State, Ore.; Airport name, Mahlon Sweet Field; Elev., 365'; Fac. Class., L-BVORTAC; Ident., EUG; Procedure No. VOR/DME Runway 34, Amdt. Orig.; Eff. date, 4 Jan. 68

MKC VOR, R 223° clockwise.....	MKC VOR, R 268°.....	Via 17-mile DME Arc.	2600	T-dn#..... C-dn..... S-dn-9..... A-dn.....	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1½ 500-1½ 400-1 800-2
MKC VOR, R 331° counterclockwise.....	MKC VOR, R 268°.....	Via 17-mile DME Arc.	2600				
17-mile DME Fix MKC VOR, R 268°.....	12-mile DME Fix MKC VOR, R 268° (final).	Direct.....	2600				

Radar available.
 Procedure turn S side of crs, 268° Outbnd, 088° Inbnd, 2600' between 12- and 22-mile DME Fixes MKC VOR, R 268°.
 Minimum altitude over 12-mile DME Fix MKC VOR, R 268° on final approach crs, 2600'.
 Crs and distance, 12-mile DME Fix MKC VOR, R 268° to airport, 088°—5.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6.4-mile DME Fix MKC VOR, R 268°, make left turn, climbing to 2800'; intercept MKC VOR R 331°, proceed to Camden Int.
 #RV R 2400' authorized Runway 36.
 MSA within 25 miles of facility: 090°-270°-3100'; 270°-090°-2500'.

City, Kansas City; State, Mo.; Airport name, Mid-Continent International; Elev., 1025'; Fac. Class., H-BVORTAC; Ident., MKC; Procedure No. VOR/DME Runway 9, Amdt. Orig.; Eff. date, 4 Jan. 68

FSD VOR.....	10-mile DME Fix, R 147°.....	Direct.....	3800	T-dn%..... C-dn..... S-dn-33#..... A-dn.....	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1½ 500-1½ 500-1 800-2
R 061°, FSD VOR clockwise.....	R 147°, FSD VOR.....	Via 16-mile DME Arc.	4400				
R 279°, FSD VOR counterclockwise.....	R 147°, FSD VOR.....	Via 16-mile DME Arc.	3400				
16-mile DME Fix, R 147°.....	10-mile DME Fix, R 147° (final).....	Direct.....	2900				

Procedure turn E side of crs, 147° Outbnd, 327° Inbnd, 3800' between 10- and 20-mile DME Fixes.
 Minimum altitude over 10-mile DME Fix on final approach crs, 2900'.
 Crs and distance, 10-mile DME Fix to airport, 327°—5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 5-mile DME Fix, proceed direct to VOR climbing to 2700'.
 # Sliding scale below ¾ not authorized.
 % 300-1 required for takeoff on Runway 15.
 % For southeastbound aircraft when weather is below 2100-2, flight below 3900' beyond 5 miles E and SE of airport is prohibited between R 095° and R 135° of the FSD VOR. Restriction due to 3444' tower 10 miles SE of airport.
 MSA within 25 miles of facility: 000°-090°-3800'; 090°-180°-4500'; 180°-270°-4100'; 270°-360°-3100'.

City, Sioux Falls; State, S. Dak.; Airport name, Joe Foss Field; Elev., 1428'; Fac. Class., H-BVORTAC; Ident., FSD; Procedure No. VOR/DME Runway 33, Amdt. Orig.; Eff. date, 6 Jan. 68

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Ceiling and visibility minimums					
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CLT VORTAC	LOM	Direct	2300	T-dn##	300-1	300-1	200-1/2
Fort Mill VORTAC	Clover Int.	Direct	2300	C-dn	500-1	500-1	500-1 1/2
Clover Int.	LOM (final)	Direct	2300	S-dn-5#	300-1 1/2	300-1 1/2	300-1 1/2
Union Int. (via CLT R 230°)	York Int.	Direct	2300	A-dn	600-2	600-2	600-2
Bradley Int.	LOM	Direct	2900				
Mount Holly Int.	LOM	Direct	2300				
Fort Mill VORTAC	LOM	Direct	2300				
Bethany Int.	LOM	Direct	2300				
York Int.	Clover Int.	Direct	2300				

Radar available.

Procedure turn N side of SW crs, 230° Outbnd, 050° Inbnd, 2300' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2300'.

Altitude of glide slope and distance to approach end of runway at OM, 2200'-4.6 miles, at MM, 950'-0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles from LOM, climb to 3000' on CLT VORTAC R 060°, within 15 miles or, when directed by ATC, turn left, climb to 3000' on FML VORTAC R 097° to Mount Holly Int or turn right, climb to 2300' on R 007° to FML VORTAC.

NOTE: Glide slope unusable below 1048'. Back crs unusable.

*400-3/4 (RVR 4000') required when glide slope inoperative, 400-1/2 (RVR 2400') authorized, with operative ALS, except for 4-engine turbojets.

#RVR 2400'. Descent below 1048' not authorized unless ALS visible.

##RVR 2400' authorized Runway 5 for aircraft with more than two engines; RVR 5000' aircraft two engines or less.

MSA within 25 miles of CL LOM: 000°-090°-3000'; 090°-180°-2200'; 180°-270°-2100'; 270°-360°-2900'.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748'; Fac. Class., ILS; Ident., I-CLT; Procedure No. ILS Runway 5, Amdt. 21; Eff. date, 6 Jan. 68; Sup. Amdt. No. 20; Dated, 28 Jan. 67

				T-dn##	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1 1/2
				S-dn-12#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar required.

Final approach crs, 125° Inbnd. Procedure turn not authorized.

Minimum altitude over 5-mile Radar Fix on final approach crs, 2100'.

Aircraft will be released for final approach over 5-mile Radar Fix.

Crs and distance, radar fix to airport, 125°-5 miles.

No glide slope. No markers.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing radar fix, climb to 2400' on SE crs of DSM ILS to DS LOM, or when directed by ATC, make right turn, climbing to 2600' and proceed to DSM VOR.

*When 1548' tower, 3.2 miles NNE of airport not visible on takeoffs to N and NW, climb to 2100' on 305° heading and takeoffs to NE climb to 2100' on 050° heading before turning toward tower.

#400-3/4 authorized with operative SALS, except for 4-engine turbojets.

##RVR 2400' authorized Runway 30.

City, Des Moines; State, Iowa; Airport name, Des Moines Municipal; Elev., 957'; Fac. Class., ILS; Ident., I-DSM; Procedure No. LOC (BC) Runway 12, Amdt. 2; Eff. date, 6 Jan. 68; Sup. Amdt. No. 1; Dated, 18 Feb. 67

EUG VOR	OM	Direct	2700	T-dn%	300-1	300-1	200-1/2
CVO VOR via CVO VOR R 135° and N crs EUG localizer.	OM (final)	Direct	2500	C-dn	500-1	500-1	500-1 1/2
12-mile DME Fix, R 010° via 12-mile Counterclockwise Arc and N crs EUG localizer.	OM (final)	Direct	2300	S-dn-16#	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2

Procedure turn E side of crs, 339° Outbnd, 159° Inbnd, 2100' within 10 miles. Final approach from holding pattern EU LOM not authorized. Procedure turn required.

Minimum altitude at glide slope interception Inbnd, 1500'.

Altitude of glide slope and distance to approach end of runway at OM, 1499'-3.7 miles; at MM, 570'-0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead to 700', turn right, climb direct to EU LOM, thence climb northbound on EUG localizer crs to 2600' within 10 miles EU LOM, or, when directed by ATC, climb straight ahead to 700', turn right and climb to 3100' on R 252° EUG VOR within 10 miles.

CAUTION: High terrain E and W.

%Takeoffs all runways: Climb on EUG VOR R 355° within 10 miles to cross EUG VOR, southeastbound V23 and southbound V23W, 900', westbound R 252°, 1000'.

#300-1 authorized with glide slope inoperative, 300-3/4 authorized with operative HIRL, 300-1/2 authorized with operative ALS, except for 4-engine turbojets.

MSA within 25 miles of LOM: 000°-180°-4900'; 180°-270°-4500'; 270°-360°-5100'.

City, Eugene; State, Oreg.; Airport name, Mahlon Sweet Field; Elev., 365'; Fac. Class., ILS; Ident., I-EUG; Procedure No. ILS Runway 16, Amdt. 20; Eff. date, 4 Jan. 68; Sup. Amdt. No. ILS-16, Amdt. 19; Dated, 20 Oct. 66

MKC VOR	MC LOM	Direct	2600	T-dn##	300-1	300-1	200-1/2
Farley Int.	MC LOM	Direct	2600	C-dn	500-1	500-1	500-1 1/2
Lansing Int.	MC LOM	Direct	2600	S-dn-36@#	200-1/2	200-1/2	200-1/2
Bonner Springs Int.	MC LOM	Direct	2600	A-dn	600-2	600-2	600-2
Camden Int.	MC LOM	Direct	2600				
BSP VOR	MC LOM	Direct	3000				

Radar available.

Procedure turn W side of crs, 185° Outbnd, 005° Inbnd, 2600' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2500'.

Altitude of glide slope and distance to approach end of runway at OM, 2470'-4.4 miles; at MM, 1239'-0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing MC LOM, climb to 2800' on N crs MCI localizer and proceed to Camden Int, or when directed by ATC, turn left, climbing to 2600' on S crs of localizer, proceed to LOM.

@400-3/4 (RVR 4000') required when glide slope not utilized, 400-1/2 (RVR 2400') authorized with operative ALS, except for 4-engine turbojets.

#RVR 2400'. Descent below 1225' not authorized unless approach lights are visible.

##RVR 2400' authorized Runway 36.

MSA within 25 miles of MC LOM: 000°-090°-2500'; 090°-180°-3100'; 180°-360°-2700'.

City, Kansas City; State, Mo.; Airport name, Mid-Continent International; Elev., 1025'; Fac. Class., ILS; Ident., I-MCI; Procedure No. ILS Runway 36, Amdt. 5; Eff. date, 4 Jan. 68; Sup. Amdt. No. ILS-36, Amdt. 4; Dated, 10 Sept. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
LCH VOR.....	LOM.....	Direct.....	1500	T-dn.....	300-1	300-1	200-½
Sulphur Int.....	LOM.....	Direct.....	1600	C-dn.....	400-1	500-1	500-1½
Gillis Int.....	Maple Int.....	Via DR 195° and NW crs LCH ILS.	1500	S-dn-15°.....	200-½	200-½	200-½
Maple Int.....	LOM (final).....	Direct.....	1200	A-dn.....	600-2	600-2	600-2

Procedure turn W side of crs, 328° Outbnd, 148° Inbnd, 1500' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 1300'.
 Altitude of glide slope and distance to approach end of runway at OM, 1170'—4.3 miles; at MM, 199'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing LOM, climb to 1500' on the SE crs of ILS within 20 miles or, when directed by ATC, make immediate right turn, climbing to 1500' on the LCH VOR R 210° within 20 miles.
 *400-½ required when glide slope not utilized; 400-½ authorized with operative ALS except for 4-engine turbojets.
 MSA within 25 miles of LOM: 000°-360°—1500'.

City, Lake Charles; State, La.; Airport name, Lake Charles Municipal; Elev., 16'; Fac. Class., ILS; Ident., I-LCH; Procedure No. ILS Runway 15, Amdt. 9; Eff. date, 6 Jan. 68; Sup. Amdt. No. ILS Runway 15, Amdt. 8; Dated, 1 Apr. 67

Lake Charles VOR.....	Brown Int.....	Direct.....	1500	T-dn.....	300-1	300-1	200-½
				C-dn.....	400-1	500-1	500-1½
				S-dn-33°#.....	400-1	400-1	400-1
				A-dn*.....	800-2	800-2	800-2

Procedure turn W side of crs, 148° Outbnd, 328° Inbnd, 1500' within 10 miles.
 Minimum altitude over Brown Int on final approach crs, 1500'.
 Crs and distance, Brown Int to airport, 328°—5.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing Brown Int, climb to 1500' on the NW crs of the ILS within 20 miles.
 *If Brown Int not received, descent below 1500' not authorized.
 #400-½ authorized with operative HIRL, except for 4-engine turbojets.

City, Lake Charles; State, La.; Airport name, Lake Charles Municipal; Elev., 16'; Fac. Class., ILS; Ident., I-LCH; Procedure No. LOC (BC) Runway 33, Amdt. 6; Eff. date, 6 Jan. 68; Sup. Amdt. No. ILS-33 (BC), Amdt. 5; Dated, 5 June 65

Swamp Int.....	LOM.....	Direct.....	1600	T-dn##.....	300-1	300-1	200-½
Wilmington VOR.....	LOM.....	Direct.....	1600	C-dn.....	500-1	500-1	500-1½
				S-dn-34°#.....	200-½	200-½	200-½
				A-dn.....	600-2	600-2	600-2

Procedure turn W side of S crs, 163° Outbnd, 343° Inbnd, 1600' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 1500'.
 Altitude of glide slope and distance to approach end of runway at OM, 1405'—4.6 miles; at MM, 237'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, climb to 1600' on 343° crs from ILM LOM within 16 miles, or when directed by ATC, make left turn to 270°, climbing to 1600'. Intercept ILM VORTAC R 233° and proceed to Swamp Int.
 *400-½ (RV R 4000') required when glide slope not utilized. 400-½ (RV R 2400') authorized, with operative ALS, except for 4-engine turbojets.
 #RV R 2400'. Descent below 231' not authorized unless ALS visible.
 ##RV R 2400' authorized Runway 34 for aircraft with more than two engines. RV R 5000' aircraft two engines or less.
 MSA within 25 miles of IL LOM: 000°-090°—1500'; 090°-180°—1700'; 180°-270°—2300'; 270°-360°—2100'.

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Fac. Class., ILS; Ident., I-ILM; Procedure No. ILS Runway 34, Amdt. 10; Eff. date, 6 Jan. 68; Sup. Amdt. No. 9; Dated, 4 Mar. 67

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 29, 1967.

R. S. SLIFF,
 Acting Director, Flight Standards Service.

[F.R. Doc. 67-14253; Filed, Dec. 14, 1967; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 33-4886]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

Short Form for Registration

On November 16, 1966, the Securities and Exchange Commission published for

comment, in Securities Act Release No. 4849 (31 F.R. 14845, Nov. 23, 1966), a proposed short form, designated Form S-7 (17 CFR 239.26), for registration of equity securities to be offered for cash by listed companies having long records of earnings and stability of management and business. The Commission received many comments upon the proposed form which it has carefully examined and which were of valuable assistance.

The Commission in response to comments, revised and has adopted Form S-7, which may be used for either equity or debt securities to be offered to the public for cash. The new form may be used not only by issuers of listed securities but also by domestic issuers which are subject to, and have complied with, the reporting and proxy disclosure re-

quirements of the Securities Exchange Act of 1934 because they have securities registered under section 12(g) of that Act. Issuers which use the form must also meet the following additional requirements which have been relaxed from those published for comment:

The registrant must have been engaged in business of the same general character since the beginning of the last 5 fiscal years;

A majority of the board of directors must have been directors of the registrant for at least 3 fiscal years;

The registrant must not have been in default on its indebtedness, preferred stock or long-term leases during the past 10 years;

Sales or gross revenues of the registrant and its consolidated subsidiaries must have totaled \$50 million for the last

fiscal year; net income for such year must have been at least \$2,500,000; and net income for each of the preceding 4 fiscal years must have been at least \$1 million;

If common stock, or securities convertible into common stock, are to be registered, any dividends paid during the past 5 fiscal years must have been earned in the year in which paid. If stock dividends were paid, they must have been charged to earned surplus at the fair market value of the stock issued as a dividend.

Although, as indicated above, the new form may be used for debt securities, Form S-9 (17 CFR 239.22) remains available for debt securities of issuers which meet certain tests.

The Commission is sensitive to its responsibilities under the Securities Act of 1933 which requires that investors be provided with sufficient information upon the basis of which they may reach an informed judgment as to the merits of the security offered. Form S-7 is in the nature of an experiment. The Commission will carefully watch and review the operation of Form S-7 in conjunction with the reporting and proxy requirements of the Securities laws to determine whether the omission of information in the prospectus, particularly with respect to the identity, remuneration and other perquisites received by management and their interest in transactions with the issuer, carries out the statutory objectives. The Commission will amend or rescind Form S-7, or change the conditions for its use should its experience indicate that such action is necessary or desirable in the public interest or for the protection of investors.

Briefly stated, the form requires that a prospectus for securities registered thereon need contain only the following information: The price and underwriting data; information as to the use of the proceeds; information with respect to the kind of business in which the registrant is engaged; earnings statements; a description of the securities to be registered; and balance sheets of the registrant, its subsidiaries and 50-percent-owned persons, if any. However, registrants are not relieved of the duty to furnish, as required by Rule 408 (17 CFR 230.408), any further material information necessary to make the required information not misleading in the light of the circumstances of the particular case. The only exhibits required are those pertinent to the proposed offering, including any material contracts referred to in the prospectus.

The form represents a closer integration of the requirements of the Securities Act of 1933 and the Securities Exchange Act of 1934 within the present statutory framework. In this connection, the Commission and its staff is engaged in a careful review of the existing reporting and disclosure requirements under the Securities Exchange Act of 1934 with a view to modifying these requirements to im-

prove both the information contained in, and the timeliness of the reports filed under that Act.

The Commission anticipates that prospectuses and registration statements on this form will be substantially shorter than heretofore and will, therefore, be substantially easier both for the issuer to prepare and for the Commission to process. For this reason, bearing in mind the information about the issuer publicly available, the Commission hopes to be in a position to consider favorably, in most cases, requests to shorten substantially the waiting period between filing and effectiveness of statements on the new form. The success of this program depends, of course, on the cooperation of issuers and underwriters in preparing the registration statement so that Commission review and comment can be expeditious.

Delivery of prospectus. The Commission has also amended paragraph (a) of Rule 174 (17 CFR 230.174) under the Securities Act so that securities registered on the Form S-7 will be exempt from the prospectus delivery requirements of section 4(3) of the Act. Under this amendment a dealer is not required to deliver a prospectus to his customer if he is no longer acting as an underwriter of the offering or is not engaged in a transaction involving his participation in the offering.

Inasmuch as Form F-1 (17 CFR 239.9) for Voting Trust Certificates has been superseded by Form S-13 (17 CFR 239.25), the reference in paragraph (a) of Rule 174 to Form F-1 has been deleted and a reference to Form S-13 substituted therefor.

Commission action. I. Rule 174 (17 CFR 230.174) under the Securities Act of 1933 is amended to read as follows:

§ 230.174 Delivery of Prospectus by dealers; exemptions under section 4(3) of the Act.

(a) No prospectus need be delivered by such dealer if the registration statement is on Form S-7 (17 CFR 239.26), S-8 (17 CFR 239.16b), S-9 (17 CFR 239.22), S-12 (17 CFR 239.19) or S-13 (17 CFR 239.25); *Provided*, That in the case of a registration statement on Form S-12 or S-13, this provision shall not apply if registration of the deposited securities is also required.

II. Form S-7 (17 CFR 239.26) is herewith adopted as set forth below.

(Secs. 4, 6, 7, 10, and 19; 48 Stat. 77, 78, 81, and 85 as amended; 15 U.S.C. 77d, 77f, 77g, 77j, and 77k)

Effective date. The foregoing action, which is taken pursuant to the Securities Act of 1933, particularly sections 4, 6, 7, 10, and 19(a) thereof, shall become effective December 31, 1967.

By the Commission, December 29, 1967.

ORVAL L. DuBOIS,
Secretary.

§ 239.26 Form S-7, for registration under the Securities Act of 1933 of securities of certain issuers to be offered for cash.

(a) **General instructions.**

A. Rule as to use of Form S-7. Any registrant which meets the following conditions may use this form for registration under the Securities Act of 1933 of any securities which are offered for cash by or on behalf of the registrant or any other person, in a rights offering or otherwise:

(a) The registrant meets either of the following conditions:

(1) It has a class of equity securities registered pursuant to section 12(b) of the Securities Exchange Act of 1934; or

(2) It is organized under the laws of the United States or any State or Territory or the District of Columbia, has its principal business operations in the United States or its Territories and has a class of equity securities registered pursuant to section 12(g) of the above Act.

(b) The registrant has been subject to and has complied in all respects, including timeliness, with the requirements of sections 13 and 14 of the Securities Exchange Act of 1934 for a period of at least 5 fiscal years immediately preceding the filing of the registration statement on this form.

(c) The registrant has been engaged in business of substantially the same general character since the beginning of the last 5 fiscal years.

(d) A majority of the existing board of directors of the registrant have been directors of the registrant during each of the last 3 fiscal years.

(e) The registrant and its subsidiaries have not during the past ten years defaulted in the payment of any dividend or sinking fund installment on preferred stock, or in the payment of any principal, interest or sinking fund installment on any indebtedness for borrowed money, or in the payment of rentals under long term leases.

(f) The registrant and its consolidated subsidiaries had sales or gross revenues of at least \$50 million for the last fiscal year and a net income, after taxes but before extraordinary items net of tax effect, of at least \$2,500,000 for the last fiscal year and of at least \$1 million for each of the preceding 4 fiscal years.

(g) If the securities to be registered are common stock or securities convertible into common stock, the registrant earned in each of the last 5 fiscal years any dividends paid in each such year on all classes of securities. If the registrant paid a stock dividend in any of such fiscal years, the aggregate amount transferred from surplus to capital in respect of each such dividend was charged only to the earned surplus account and was equal to the aggregate fair market value of the stock issued as such dividend.

B. Application of general rules and regulations. Attention is directed to the General Rules and Regulations under the Act, particularly Regulation C (17 CFR 230.400 et seq.). That regulation contains general requirements regarding the use of registration forms and the preparation and filing of the registration statement. The definitions contained in Rule 405 (17 CFR 230.405) should be especially noted.

C. Documents comprising registration statement. The registration statement shall consist of the facing sheet of the form, the prospectus containing the information specified in Part I, the information called for by Part II, the required signatures, consents of experts, financial statements and exhibits

and any other prospectus, information, undertaking or documents which are required or which the registrant may file as a part of the registration statement.

D. Form and content of prospectus. (a) The information set forth in the prospectus should be presented in clear, concise, understandable fashion. Avoid unnecessary and irrelevant details, repetition or the use of unnecessary technical language. The prospectus shall contain the information called for by all of the items of Part I of the form, except that no reference need be made to inapplicable items, and negative answers to any item may be omitted.

(b) Unless clearly indicated otherwise, information set forth in any part of the prospectus need not be duplicated elsewhere in the prospectus. Where it is deemed necessary or desirable to call attention to such information in more than one part of the prospectus, this may be accomplished by appropriate cross reference. In lieu of restating information in the form of notes to the financial statements, references should be made to other parts of the prospectus where such information is set forth.

E. Foreign subsidiaries. Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the registrant, provided a statement is made that such information has been omitted. In such case, a statement of the names of the subsidiaries omitted shall be separately furnished. The Commission may, in its discretion, call for justification that the required disclosure would be detrimental.

F. Filing of other financial statements in certain cases. The Commission may, upon the request of the registrant, and where consistent with the protection of investors, permit the omission of one or more of the financial statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Commission may also by informal written notice require the filing of other financial statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

G. Preparation of Part II. Part II of the registration statement shall contain the numbers and captions of the items in Part II of the form but the text of the items and the instructions thereto are to be omitted. The answers to the items are to be so prepared as to indicate to the reader the coverage of the items without the necessity of referring to the text of the items or the instructions thereto. If the information required by any item of Part II is completely disclosed in the prospectus, such item may be answered by a reference to the specific page or caption of the prospectus which contains such information. If any item of Part II is inapplicable or the answer thereto is in the negative, a statement to that effect shall be made in answer to the item.

(b) Facing page.

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
Form S-7

REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

(Exact name of registrant as specified in its charter)

(State or other jurisdiction of incorporation or organization)

(I.R.S. employer identification No.)

(Address of principal executive offices)

(ZIP Code)

(Name and address of agent for service)

(Approximate date of commencement of proposed sale to the public)

CALCULATION OF REGISTRATION FEE

Title of each class of securities to be registered	Amount to be registered	Proposed maximum offering price per unit	Proposed maximum aggregate offering price	Amount of registration fee

(c) Part I. Information Required in Prospectus.

Item 1. Distribution spread. The information called for by the following table shall be given in substantially the tabular form indicated, on the outside front cover page of the prospectus as to all securities to be registered (estimated, if necessary).

	Price to public	Underwriting discounts and commissions	Proceeds to registrant or other persons
Per unit			
Total			

Instructions. 1. Only commissions paid by the registrant or selling security holders in cash are to be included in the table. Commissions paid by other persons, and other considerations to the underwriters, shall be set forth following the table with a reference thereto in the second column of the table. Any finder's fee or similar payments shall be appropriately disclosed.

2. If it is impracticable to state the price to the public, the method by which it is to be determined shall be explained. In addition, if the securities are to be offered at the market, or if the offering price is to be determined by a formula related to market prices, indicate the market involved and the market price as of the latest practicable date.

3. If any of the securities to be registered are to be offered for the account of security holders, refer on the first page of the prospectus to the information called for by Item 4.

Item 2. Plan of Distribution. (a) If the securities to be registered are to be offered through underwriters, give the names of the principal underwriters, and state the respective amounts underwritten. Identify each such underwriter having a material relationship to the registrant and state the nature of the relationship. State briefly the nature of the underwriters' obligation to take the securities.

Instruction. All that is required as to the nature of the underwriters' obligation is whether the underwriters are or will be committed to take and to pay for all of the securities if any are taken, or whether it is

merely an agency or "best efforts" arrangement under which the underwriters are required to take and pay for only such securities as they may sell to the public. Conditions precedent to the underwriters' taking the securities, including "market outs", need not be described except in the case of an agency or "best efforts" arrangement.

(b) State briefly the discounts and commissions to be allowed or paid to dealers, including all cash, securities, contracts, or other consideration to be received by any dealer in connection with the sale of the securities.

Instruction. If any dealers are to act in the capacity of subunderwriters and are to be allowed or paid any additional discounts or commissions for acting in such capacity, a general statement to that effect will suffice without giving the additional amounts to be so paid.

(c) Outline briefly the plan of distribution of any securities to be registered which are to be offered otherwise than through underwriters.

Item 3. Use of proceeds to registrant. State the principal purposes for which the net proceeds to the registrant from the securities to be offered are intended to be used, and the approximate amount intended to be used for each such purpose.

Instruction. Details of proposed expenditures are not to be given; for example, there need be furnished only a brief outline of any program of construction or addition of equipment. If any material amount of other funds is to be used in conjunction with the proceeds, state the amount and sources of such other funds. If any material amount of the proceeds is to be used to acquire assets, otherwise than in the ordinary course of business, briefly describe the assets and give the names of the persons from whom they are to be acquired. State the cost of the assets to the registrant and the principle followed in determining such cost.

Item 4. Selling security holders. If any of the securities to be registered are to be offered for the account of security holders, name each such security holder and state the amount of securities of the class owned by him, the amount to be offered for his account and the percentage of the class (if 1 percent or more) to be owned by him after completion of the offering.

Item 5. Business. (a) Identify the business done and intended to be done by the registrant and its subsidiaries. If the business consists of the production or distribution of different kinds of products or the rendering of different kinds of services, indicate, insofar as practicable, the relative importance of each product or service or class of similar products or services which contributed 15 percent or more to the gross volume of business done during the last fiscal year. In the case of an extractive enterprise, give appropriate information as to development, reserves, and production.

(b) Briefly describe any pending legal proceedings to which the registrant or its subsidiaries is a party which may have a substantial effect upon the earnings or financial condition of the registrant.

Item 6. Statement of income and earned surplus. Furnish in comparative columnar form a statement of income for the registrant, or for the registrant and its subsidiaries consolidated, or both, as appropriate, for each of the last 5 fiscal years of the registrant and for any interim period between the end of the latest of such fiscal years and the date of the latest balance sheet furnished pursuant to Item 10(a), and for the corresponding interim period of the preceding fiscal year. Include comparable data for any additional fiscal years necessary to keep the statement from being misleading. Where

necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the prospectus. An analysis of earned surplus shall be furnished for each period covered by an income statement, as a continuation thereof or elsewhere in the prospectus.

Instructions. 1. The statements required shall be prepared in compliance with the applicable profit and loss and surplus requirements of Regulation S-X (17 CFR 210) and shall be certified to the date of the respective certified balance sheet(s) included in the prospectus.

2. If the registrant is engaged primarily (i) in the generation, transmission or distribution of electricity, the manufacture, mixing, transmission, or distribution of gas, the supplying or distribution of water or the furnishing of telephone or telegraph service, or (ii) in holding securities of companies engaged in such business, it may at its option include a statement of income for the 12-month period prior to the date of the latest balance sheet furnished, in lieu of the statements for the interim periods specified.

3. If common stock is to be registered, the statements shall be prepared to present earnings applicable to common stock. Per share earnings and dividends declared for each period of the statement shall also be included and the basis of computation stated.

4. If preferred stock is to be registered, there shall be shown the annual dividend requirements on such preferred stock. To the extent that an issue represents refinancing, only the additional dividend requirements shall be stated.

5. (a) If debt securities are to be registered, the registrant shall show in tabular form for each fiscal year or other period the ratio of earnings to fixed charges. A pro forma ratio of earnings to fixed charges, adjusted to give effect to the issuance of the securities to be registered and any presently proposed issuance, retirement or redemption of securities shall also be shown for the latest fiscal year or 12-month period.

(b) Earnings shall be computed in accordance with generally accepted accounting principles, after all operating and income deductions except fixed charges and taxes based on income or profits. In the case of utilities, interest credits charged to construction shall be added to gross income and not deducted from interest.

(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) one-third of all rentals reported in the schedule prepared in accordance with Rule 12-16 of Regulation S-X (17 CFR 210.12-16), or such portion as can be demonstrated to be representative of the interest factor in the particular case; and (iii) in case consolidated figures are used, preferred stock dividend requirements of consolidated subsidiaries, excluding in all cases items eliminated in consolidation.

(d) The registrant shall file as an exhibit a statement setting forth in reasonable detail the computations of the required ratios. For the purpose of this exhibit and the pro forma ratio required above, an assumed maximum interest rate may be used on securities as to which the interest rate has not yet been fixed, which assumed rate shall be shown.

6. In connection with any unaudited statement for an interim period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period have been included. If all such adjustments are of a normal recurring nature, a statement to that effect shall be made; otherwise, there shall be furnished as supplemental information but

not as a part of the registration statement, a letter describing in detail the nature and amount of any adjustments, other than normal recurring adjustments, entering into the determination of the results shown.

7. Statements of income and earned surplus conforming to the foregoing shall be furnished, here or elsewhere in the prospectus, for each subsidiary or group of subsidiaries or 50-percent-owned persons for which a balance sheet is furnished in response to Item 10(b).

Item 7. Capital stock to be registered. If capital stock is to be registered, state the title of the class and furnish the following information:

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment by the registrant.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) If preferred stock is to be registered, outline briefly any restriction on the repurchase or redemption of shares by the registrant while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

2. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights of any other class of securities, include such information regarding such other securities as will enable investors to understand the rights evidenced by the securities to be registered. No information need be given, however, as to any class of securities all of which will be redeemed and retired, provided appropriate steps to assure such redemption and retirement will be taken prior to or upon delivery by the registrant of the securities to be registered.

3. If the securities described are to be offered pursuant to warrants or rights, state the amount of securities called for by such warrants or rights, the period during which and the price at which the warrants or rights are exercisable.

Item 8. Debt securities to be registered. If debt securities are to be registered, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions with respect to the kind and priority of any lien securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions with respect to the subordination of the rights of holders of the securities registered to other security holders or creditors of the registrant.

(d) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(e) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instructions. 1. In the case of secured debt, there should be stated (i) the approximate

amount of unbonded bondable property available for use against the issuance of bonds, as of the most recent practicable date, and (ii) whether the securities being registered are to be issued against such property, against the deposit of cash, or otherwise.

2. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(f) The name of the trustee and the nature of any material relationship with the registrant or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(g) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction. The instructions to Item 7 shall also apply to this item. Section 305(a) (2) of the Trust Indenture Act of 1939 shall not be deemed to require the inclusion in the registration statement or in the prospectus of any information not required by this form.

Item 9. Other securities to be registered. If securities other than capital stock or debt are to be registered, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 7 shall also apply to this item.

Item 10. Other financial statements and schedules. (a) There shall be furnished a balance sheet of the registrant and a consolidated balance sheet of the registrant and its subsidiaries as of a date within 6 months prior to the date of filing the registration statement. These balance sheets need not be certified but if they are not certified, there shall be furnished in addition certified balance sheets as of a date within 1 year, unless the fiscal year of the registrant has ended within 90 days prior to the date of filing, in which case the certified balance sheets may be as of the end of the preceding fiscal year. These balance sheets shall be prepared in compliance with the applicable balance sheet requirements of Regulation S-X.

Instructions. The individual balance sheets of the registrant may be omitted if (i) consolidated balance sheets of the registrant and one or more of its subsidiaries are furnished, (ii) either one of the following conditions is met, and (iii) the Commission is advised as to the reasons for such omission:

(1) The registrant is primarily an operating company and all subsidiaries included in the consolidated balance sheets furnished are totally held subsidiaries; or

(2) The registrant's total assets, exclusive of investments in and advances to the consolidated subsidiaries, constitute 85 percent or more of the total assets shown by the consolidated balance sheets filed and the registrant's total gross revenues for the period for which its profit and loss statements would be filed, exclusive of interest and dividends received from the consolidated subsidiaries, constitute 85 percent or more of the total gross revenue shown by the consolidated profit and loss statements filed.

(b) (1) Subject to Rule 4-03 of Regulation S-X (17 CFR 210.4-03), regarding group statements of unconsolidated subsidiaries, there shall be furnished for each majority-owned subsidiary of the registrant not included in the consolidated statements, the

balance sheets which would be required if the subsidiary were itself a registrant.

(2) If the registrant owns, directly or indirectly, approximately 50 percent of the voting securities of any person and approximately 50 percent of the voting securities of such person is owned, directly or indirectly, by another single interest, there shall be filed for each such person the balance sheets which would be required if it were a registrant. The statements filed for each such person shall identify the other single interest. Where appropriate, group statements may be filed for such persons.

Instructions. 1. Insofar as practicable, these balance sheets shall be as of the same dates as those of the registrant.

2. There may be omitted all balance sheets of any one or more unconsolidated subsidiaries or 50 percent owned persons if all such subsidiaries and persons whose balance sheets are so omitted, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

(c) (1) There shall be filed for any business directly or indirectly acquired by the registrant after the date of the latest balance sheet filed pursuant to (a) above and for any business to be directly or indirectly acquired by the registrant, the financial statements which would be required if such business were a registrant.

(2) The acquisition of securities shall be deemed to be the acquisition of a business if such securities give control of the business or combined with securities already held give such control.

(3) No financial statements need be filed, however, for any business acquired or to be acquired from a totally held subsidiary. In addition, the statements of any one or more businesses may be omitted if such businesses, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

(d) Notwithstanding the provision of Regulation S-X, no schedules other than those prepared in accordance with Rules 12-16, 12-27, and 12-32 (17 CFR 210.12-16, 210.12-27, 210.12-32) of that regulation need be furnished.

Item 11. Statement of available information. (a) A statement shall be included on the outside front cover page or on the inside front cover page of the prospectus that the registrant is subject to the informational requirements of the Securities Exchange Act of 1934 and in accordance therewith files reports and other information with the Securities and Exchange Commission. It shall also be pointed out that information, as of particular dates, concerning directors and officers, their remuneration, options granted to them, the principal holders of securities of the registrant and any material interest of such persons in transactions with the registrant, is disclosed in proxy statements or in information statements in lieu of proxy statements distributed to shareholders of the registrant and filed with the Commission.

(b) The statement shall also indicate that such reports, proxy statements, and other information can be inspected at the principal office of the Commission at 500 North Capital Street NW., Washington, D.C., and that copies of such material can be obtained from the Commission at prescribed rates. In addition, any national securities exchange on which the registrant's securities are listed, and where reports, proxy material and other information concerning the registrant can be inspected, shall be named.

(d) *Part II. Information not required in prospectus.*

Item 12. Marketing arrangements. Briefly describe any arrangement known to the registrant, any person named in answer to Item

4 or to any principal underwriter of the securities to be registered which is not contained in an exhibit filed with the registration statement and has been made for any of the following purposes:

(a) To limit or restrict the sale of other securities of the same class as those to be offered for the period of distribution.

(b) To stabilize the market for any of the securities to be offered.

(c) For withholding commissions, or otherwise to hold each underwriter or dealer responsible for the distribution of his participation.

Item 13. Other expenses of issuance and distribution. Furnish a reasonably itemized statement of all expenses in connection with the issuance and distribution of the securities to be registered, other than underwriting discounts and commissions.

Instruction. Insofar as practicable, registration fees, Federal taxes, State taxes and fees, trustees' and transfer agents' fees, cost of printing and engraving, and legal, accounting and engineering fees shall be separately itemized. The information may be given as subject to future contingencies. If the amounts of any items are not known, estimates designated as such shall be given.

Item 14. Relationship with registrant of experts named in registration statement. If any expert named in the registration statement as having prepared or certified any part thereof was employed for such purpose on a contingent basis or, at the time of such preparation or certification or at any time thereafter, has a substantial interest in the registrant or any of its parents or subsidiaries or was connected with the registrant or any of its subsidiaries as a promoter, underwriter, voting trustee, director, officer, or employee, furnish a brief statement of the nature of such contingent basis, interest, or connection.

Instruction. In the case of an accountant, any direct financial interest or any material indirect financial interest held during the period covered by the financial statements prepared or certified shall be deemed a "substantial interest" for the purpose of this item.

Item 15. Indemnification of directors and officers. State the general effect of any charter provisions, bylaws, contract, arrangement, or statute under which any director or officer of the registrant is insured or indemnified in any manner against any liability which he may incur in his capacity as such.

Item 16. Treatment of proceeds from stock to be registered. If capital stock is to be registered hereunder and any portion of the consideration to be received by the registrant for such stock is to be credited to an account other than the appropriate capital stock account, state to what other account such portion is to be credited and the estimated amount per share. If the consideration from the sale of par value shares is less than par value, state the amount per share involved and its treatment in the accounts.

Item 17. Other documents filed as a part of the registration statement. List all of the following documents filed as a part of the registration statement.

(a) Statements of eligibility and qualification of persons designated to act as trustee under an indenture to be qualified under the Trust Indenture Act of 1939.

(b) All exhibits.

(c) *Undertakings.*

A. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities to be registered are to be offered in a continuous offering over an extended period of time:

"The registrant undertakes (a) to file any prospectuses required by section 10(a) (3) as posteffective amendments to the registration statement, (b) that for the purpose of determining any liability under the Act each such posteffective amendment may be deemed to be a new registration statement relating to the securities offered therein and the offering of such securities at that time may be deemed to be the initial bona fide offering thereof, and (c) that all posteffective amendments will comply with the applicable forms, rules, and regulations of the Commission in effect at the time such posteffective amendments are filed, (d) to remove from registration by means of a posteffective amendment any of the securities being registered which remain unsold at the termination of the offering and (e) to furnish the Division of Corporation Finance a letter informing said Division when all of the securities registered have been sold."

B. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities to be registered are to be offered to existing security holders pursuant to warrants or rights and any securities not taken by security holders are to be reoffered to the public:

"The undersigned registrant hereby undertakes to supplement the prospectus, after the expiration of the subscription period, to set forth the results of the subscription offer, the transactions by the underwriters during the subscription period, the amount of unsubscribed securities to be purchased by the underwriters and the terms of any subsequent reoffering thereof. If any public offering by the underwriters is to be made on terms differing from those set forth on the cover page of the prospectus, a posteffective amendment will be filed to set forth the terms of such offering."

C. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities to be registered are to be offered at competitive bidding:

"The undersigned registrant hereby undertakes to file an amendment to the registration statement reflecting the results of bidding, the terms of the reoffering and related matters to the extent required by the applicable form, not later than the first use, authorized by the registrant after the opening of bids, of a prospectus relating to the securities offered at competitive bidding, unless no further public offering of such securities by the registrant and no reoffering of such securities by the purchasers is proposed to be made."

(f) *Signatures.*

Pursuant to the requirements of the Securities Act of 1933, the registrant has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of _____, and State of _____, on the _____ day of _____, 19_____.

By _____ (Registrant)

(Signature and title)

Pursuant to the requirements of the Securities Act of 1933, this registration statement has been signed below by the following persons in the capacities and on the dates indicated.

(Signature) (Title) (Date)

Instructions. 1. The registration statement shall be signed by the registrant, its principal executive officer or officers, its principal financial officer, its controller or principal accounting officer and by at least the majority

of the board of directors or persons performing similar functions. If the registrant is a foreign person, the registration statement shall also be signed by its authorized representative in the United States.

2. The name of each person who signs the registration statement shall be typed or printed beneath his signature. Any person who occupies more than one of the specified positions shall indicate each capacity in which he signs the registration statement.

(g) *Instructions as to Exhibits.*

Subject to the rules regarding incorporation by reference, the following exhibits shall be filed as a part of the registration statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits called for by Item 17.

1. Copies of each underwriting contract with a principal underwriter, each syndicate agreement and each purchase, subunderwriting or selling group agreement or letter pursuant to which the securities to be registered are to be distributed or, if the terms of such documents are not determined, the proposed forms thereof.

2. (a) Specimens or copies of all securities to be registered hereunder and copies of all constituent instruments defining the rights of the holders of such securities.

(b) If any of the securities to be registered are, or are to be, issued under an indenture to be qualified under the Trust Indenture Act of 1939, the copy of such indenture which is filed as an exhibit shall include or be accompanied by (1) a reasonably itemized and informative table of contents, and (2) a cross-reference sheet showing the location in the indenture of the provisions inserted pursuant to sections 310 through 318(a) inclusive of the Trust Indenture Act of 1939.

3. An opinion of counsel, as to the legality of the securities to be registered, indicating whether they will when sold be legally issued, fully paid and nonassessable, and, if debt securities, whether they will be binding obligations of the registrant.

4. Copies of all indemnification contracts or arrangements described in answer to Item 15.

5. Copies of every material contract not made in the ordinary course of business which is referred to in the prospectus. Only contracts need be filed as to which the registrant or a subsidiary of the registrant is a party or has succeeded to a party by assumption or assignment, or in which the registrant or such subsidiary has a beneficial interest.

[F.R. Doc. 67-14555; Filed, Dec. 14, 1967; 8:45 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

[Docket No. 18]

PART 255—INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires

Motor Vehicle Safety Standard No. 109 (32 F.R. 15792) specifies tire dimensions and laboratory test requirements for bead unseating resistance, strength, endurance, and high speed performance; defines tire load ratings; and specifies labeling requirements for new pneumatic

tires for use on passenger cars manufactured after 1948.

Certain labelling requirements are set forth in S4.3, including, in paragraph (i), a requirement for an approved recital (or the symbol specified in Figure 1) that the tire conforms to applicable Federal Motor Vehicle Safety Standards. Figure 1 contains lettering detail dimensions for that symbol.

The Federal Highway Administration has determined that it is not necessary to specify the width and stroke of individual letters nor the space between letters if the overall length and height is specified, and that more latitude is needed in the depth and overall length requirements for this symbol. Therefore, Standard No. 109 is being amended by striking out the unneeded dimensions and by providing increased latitude for the letter depth and the overall length requirements.

Since this amendment provides an alternative means of compliance, relieves a restriction, and imposes no additional

burden on any person, notice and public procedure hereon are unnecessary and good cause is shown that an effective date earlier than 180 days after issuance is in the public interest and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

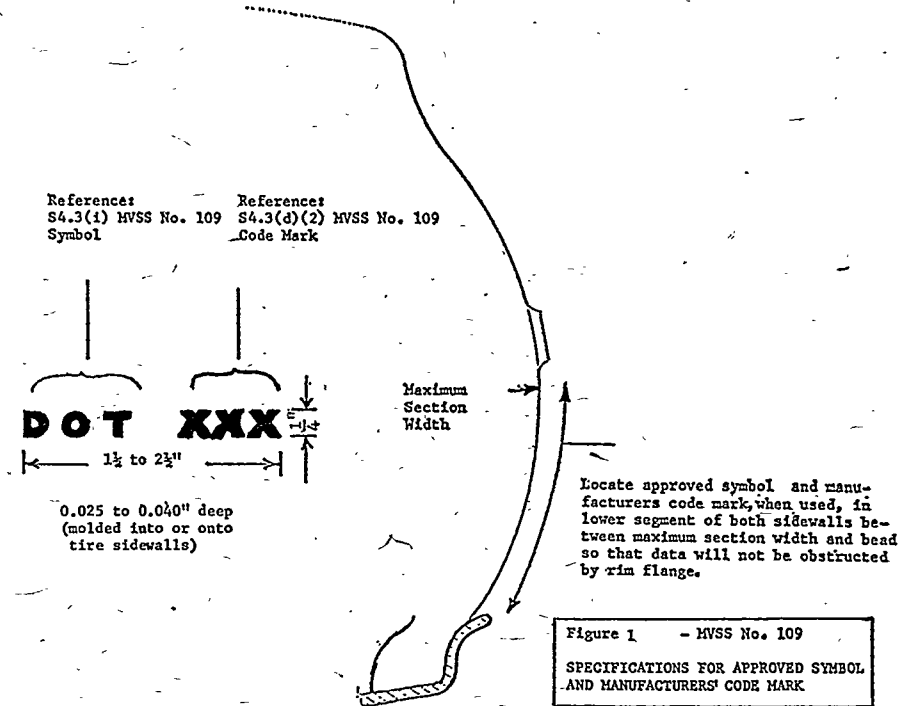
In consideration of the foregoing, § 225.21 of Part 255, Initial Federal Motor Vehicle Safety Standards, Standard No. 109 is amended by deleting Figure 1 (32 F.R. 15794) and in its place inserting the following Figure 1.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407); delegation of authority of Mar. 31, 1967 (32 F.R. 6506), as amended Apr. 6, 1967 (32 F.R. 6495), July 27, 1967 (32 F.R. 11276), Oct. 11, 1967 (32 F.R. 14277), and Nov. 8, 1967 (32 F.R. 15710))

This amendment becomes effective January 1, 1968.

Issued in Washington, D.C., on December 11, 1967.

LOWELL K. BRIDWELL,
Federal Highway Administrator.



[F.R. Doc. 67-14537; Filed, Dec. 14, 1967; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6939]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Treatment of Income From Unrelated Trade or Business

Correction

In F.R. Doc. 67-14463, appearing at page 17657 of the issue for Tuesday, De-

cember 12, 1967, make the following changes:

1. In § 1.513-1(c) (2) (i), line 12, the word following "hospital" should read "auxiliary".

2. In column 1, page 17658, line 18 (§ 1.513-1(c) (2) (ii)), following the word "functions" insert the word "or".

3. In § 1.513-1(d) (4) (ii), line 3, transpose the word "from" to the line below, following the word "result".

4. In § 1.512(a)-1, in line 10 of the undesignated paragraph following paragraph (d) (2) (ii), insert "exploiting such exempt function" following the word "business".

In line 16 of this undesignated paragraph following the word "to" insert the word "any".

5. Following paragraph (e) of § 1.512-(a)-1 and preceding *Example* (1), delete subparagraph (3) in its entirety.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 67-78]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Atlantic Intracoastal Waterway, South Carolina

1. There were transferred to and vested in the Secretary of Transportation by subsection 6(g) of the Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651 et seq.), certain functions, powers, and duties, previously performed by the Secretary of the Army and other officers and offices of the Department of the Army (Corps of Engineers), including the regulation of drawbridge operations under 33 U.S.C. 499. The Secretary of Transportation, by Department of Transportation Order 1100.1 dated March 31, 1967 (49 CFR 1.4(a)(3)), delegated to and authorized the Commandant, U.S. Coast Guard, to prescribe rules and regulations under the provisions of section 5 of the River and Harbor Act of August 18, 1894, as amended (28 Stat. 326; 33 U.S.C. 499).

2. The South Carolina State Highway Department, by letter dated 15 August 1967, requested the Corps of Engineers, Department of the Army, to revise the requirements for opening the Ben M. Sawyer Swing Bridge between Sullivan's Island and Mount Pleasant, S.C. In accordance with the procedures in 33 CFR 209.520, public notice dated August 18, 1967, setting forth the proposed revision of the regulations governing this drawbridge, was issued by the Charleston District, Corps of Engineers, and was made available to all persons known to have an interest in this subject. After consideration of all comments submitted in response thereto the proposal is accepted, subject to the right to change these requirements and to amend the regulations if and when necessary in the public interest. The purpose of this document is to prescribe special regulations for the operation of the South Carolina State Highway Ben M. Sawyer Swing Bridge across, the Intracoastal Waterway (mile 462.2) between Sullivan's Island and Mount Pleasant, S.C.

3. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 14 U.S.C. 532 and Department of Transportation Order 1100.1 (49 CFR 1.4(a)(3)), the text of 33 CFR 117.365 shall read as follows and shall be effective

on and after the 30th day after publication of this document in the FEDERAL REGISTER:

§ 117.365 Atlantic Intracoastal Waterway (mile 462.2), South Carolina State Highway Department Ben M. Sawyer Swing Bridge (State Road 703) between Sullivan's Island and Mount Pleasant.

(a) The owner of or agency controlling the bridge shall not be required to open the draw between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m. daily, except as provided in paragraph (b) of this section.

(b) The draw shall be opened promptly upon the prescribed signal being given for the passage of tug boats, freight boats, commercial fishing boats, vessels owned and operated by the United States, and boats or vessels in distress.

(c) The owner of or agency controlling the bridge shall erect and maintain adjacent to the channel, on both sides of the bridge, signs acceptable to the Commandant, U.S. Coast Guard setting forth the salient features of the regulations in this section.

(Sec. 5, 28 Stat. 362, as amended; 33 U.S.C. 499. Department of Transportation Order 1100.1, Mar. 31, 1967; 49 CFR 1.4(a)(3)(v), 32 F.R. 5606)

Dated: December 7, 1967.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 67-14583; Filed, Dec. 14, 1967; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

Procurement Leadtime

Section 101-26.102-3 is added to indicate the procurement leadtime that should be allowed when GSA is called upon to perform special purchasing services for other agencies.

The table of contents of Part 101-26 is amended by the addition of the following entries:

101-26.102-3 Procurement leadtime.

Subparts 101-26.7—101-26.47 [Reserved]

Subpart 101-26.48—Exhibits

101-26.4800 Scope of subpart.

101-26.4801 Procurement leadtimes.

Subpart 101-26.1—General

Section 101-26.102-3 is added as follows:

§ 101-26.102-3 Procurement leadtime.

When GSA performs the purchasing services for other agencies or activities

as contemplated by this § 101-26.102, calculation of the delivery dates required for the items involved shall be based on the procurement leadtimes illustrated in § 101-26.4801. These leadtimes are based on the normal time required after receipt of agency requisitions by GSA to effect delivery to destinations within the 48 states.

(a) Time required to obtain any additional essential information from the requisitioning office for use in issuing a solicitation for bids or offers is not included in the leadtimes.

(b) If unusually large quantities or complex items are required, leadtime adjustments should be made to reflect the specific requirement. As an example, standard electronic and communication equipment can usually be delivered within 4 months after receipt of the requisition. The same items requiring special manufacturing modifications could require 6 months. Footnotes relating to classes where this is a frequent occurrence are shown in the table (§ 101-26.4801).

(c) The table does not apply to public exigency or other high priority requisitions; however, it should be used as a guide to establish realistic required delivery dates for such requisitions.

Subparts 101-26.7—101-26.47 [Reserved]

Subpart 101-26.48 is added to read as follows:

Subpart 101-26.48—Exhibits

§ 101-26.4800 Scope of subpart.

This Subpart 101-26.48 illustrates information referenced in the text of Part 101-26 but not suitable for inclusion elsewhere in that part.

§ 101-26.4801 Procurement leadtimes.

The following table shall be used in calculation of required delivery dates when GSA is requested to perform the purchasing service:

Commodity class	Commodity class description	Lead-time in calendar days *
1000-1399	Ammunition, weapons, and explosives.	90
1400-1599	Civil aircraft.....	90
1600-2499	Aircraft components, railway equipment, and motor vehicles.	180
2500-2599	Vehicle parts.....	70
2600-2799	Tires and tubes.....	65
2800-2899	Engines, turbines, and parts.....	150
2900-3199	Engine accessories, power equipment, and bearings.	80
3200-3499	Woodworking and metal working machinery.	180
3500-3599	Service and trade equipment.....	90
3600-3699	Special industry machinery.....	75
3700-3799	Agricultural machinery and equipment.	105
3800-3999	Construction, materials handling, and highway equipment.	210
4000-4099	Rope, cable, chain, and fittings.....	75
4100-4199	Refrigeration and air conditioning equipment.	90
4200-4299	Firefighting and safety equipment.	90
4300-4399	Pumps and compressors.....	90
4400-4499	Furnace, steam plant, and drying equipment.	160
4500-4599	Plumbing, heating, and related equipment.	105
4900-5099	Maintenance and repair shop equipment.	80

See footnotes at end of table.

Commodity class	Commodity class description	Lead-time in calendar days ^a
5100-5129	Handtools, nonpowered	80
5130-5132	Handtools, power driven	120
5133-5139	Drill bits, taps, dies, and collets	80
5140-5179	Tool and hardware boxes	90
5180-5199	Sets, kits, and outfit of tools	120
5200-5299	Measuring tools	90
5300-5339	Screws, fasteners, and nails	65
5340-5344	Miscellaneous hardware	65
5345-5399	Disks, stones, and abrasives	70
5400-5499	Prefabricated structures	150
5500-5599	Lumber	105
5600-5799	Construction and building materials	85
5800-5899	Communication equipment	120
5900-5959	Electrical and electronic components	105
5960-5969	Electron tubes	90
5970-5999	Electrical parts	90
6000-6199	Electrical wire	90
6200-6299	Lighting fixtures and lamps	90
6300-6399	Alarm and signal systems	90
6400-6599	Medical, dental, and veterinary equipment and supplies	90
6600-6699	Instruments and laboratory equipment	90
6700-6799	Photographic equipment	120
6800-7099	Chemicals and chemical products training devices	105
7100-7109	Household furniture	215
7110-7124	Office furniture	165
7125-7194	Cabinets, lockers, bins, and shelving	155
7195-7199	Miscellaneous furniture and fixtures	155
7200-7219	Household furnishings	120
7220-7229	Floor coverings	120
7230-7239	Draperies, awnings, and shades	120
7240-7289	Household and commercial containers	80
7290-7299	Miscellaneous household and commercial appliances	120
7300-7329	Food, cooking, baking, and warming kitchen equipment	135
7330-7399	Kitchen handtools and utensils	110
7400-7459	Office machines and parts	105
7460-7489	Visible record equipment	120
7490-7499	Miscellaneous office machines	105
7500-7519	Office supplies	95
7520-7529	Office devices and accessories	120
7530-7539	Stationery and record forms	90
7540-7599	Standard forms	90
7600-7699	Books, papers, etc	120
7700-7799	Musical instruments, phonographs, and radios	90
7800-7899	Recreational and athletic equipment	90
7900-7999	Cleaning equipment and supplies	135
8000-8019	Paints, varishes, enamels, etc	120
8020-8029	Brushes, paint, and artist	120
8030-8099	Sealers and adhesives	120
8100-8209	Containers and packaging	120
8300-8399	Textiles, leathers, and furs	90
8400-8499	Clothing and individual equipment	120
8500-8519	Perfumes and toiletries	90
8520-8539	Toilet soap, personal	90
8540-8599	Toiletary paper products	90
8600-8899	Agricultural supplies and live animals	120
8900-9099	Subsistence	90
9100-9299	Fuels, lubricants, oils, and waxes	90
9300-9399	Nonmetallic fabricated materials	90
9400-9799	Nonmetallic crude materials, metals, and ores	90
9800-9999	Miscellaneous	90

Class **Class title**
 3805..... Earth moving and excavating equipment.
 3810..... Cranes and crane-shovels.
 3895..... Miscellaneous construction equipment.
^dAll classes in FSC Group 53, Communication equipment, will be considered on a case-by-case basis because of special features that may be required. The leadtime shown is for routine requirements.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: December 8, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.
 [F.R. Doc. 67-14567; Filed, Dec. 14, 1967; 8:46 a.m.]

Title 48—TRADE AGREEMENTS AND ADJUSTMENT ASSISTANCE PROGRAMS

Chapter V—Automotive Agreement Adjustment Assistance Board

PART 501—ORGANIZATION, FUNCTIONS, AND PROCEDURES

Material Available to the Public

Pursuant to authority contained in the Automotive Products Trade Act of 1965 (Public Law 89-283, 79 Stat. 1016), Executive Order 11254 of October 21, 1965 (30 F.R. 13569), Board Order No. 1 (31 F.R. 853), and 5 U.S.C. 552, the Regulations of the Automotive Agreement Adjustment Assistance Board (48 CFR, Chapter V, Part 501) are amended as set forth below concerning availability of information to the public. The Regulations in this part relate to public benefits. Accordingly, these amendments shall become effective immediately upon their publication in the FEDERAL REGISTER.

Section 501.12 is amended to read as follows:

§ 501.12 Material available to the public.

(a) Petitions and related documents filed with the Board, identifiable records of the Board, and materials issued for general distribution by the Board may be inspected and copied by any person on written request to the Executive Secretary of the Board at Washington, D.C., except as set forth in §§ 501.13 and 501.14 and except as provided for in 5 U.S.C. 552(b).

(b) In considering requests, the Executive Secretary may consult with members of the Automotive Assistance Committee of the Board.

(c) Any person whose request for such material of the Board is denied by the Executive Secretary may obtain review

of such denial by filing a request therefor in writing with the Chairman of the Board within 15 days after notification of such denial. Such request shall set forth a description of the material requested and the basis for believing that such material is required to be made available under applicable law. Two copies of the request for review shall be filed with the Executive Secretary. A decision on such review shall be made by the Chairman of the Board who may consult with the other members of the Board. Persons requesting review by the Chairman of denials made by the Executive Secretary shall be promptly advised of the Chairman's decision on their request. The decision shall constitute final action of the Board.

(d) Persons whose request for the inspection and copying of material is approved will, on request, be provided facilities by the Executive Secretary for inspection and for making manual copies of such material. An index to materials required to be made available under 5 U.S.C. 552(a) (2) shall also be available for inspection and copying during regular business hours at the Office of the Executive Secretary of the Board, located in the Department of Labor, 14th and Constitution Avenue NW., Washington, D.C. 20210, Room 7113.

(e) Any material which has been released for inspection will be copied by the Executive Secretary on the request and at the expense of the requesting party. Except for copies duplicated for distribution for no fee, a fee of 25 cents will be charged for each facsimile page reproduction in a maximum size of 10½" x 15½". An appropriate fee will be charged for copies of other size. Where the request is for receipt of such copies by mail, such postal fees in excess of domestic first-class postal rates as are necessary for transmittal of copies requested will be added to the per-page fee specified, unless appropriate stamps or stamped envelopes are furnished with the request.

(Sec. 302(k) of the Automotive Products Trade Act of 1965, Public Law 89-283, 79 Stat. 1021; E.O. 11254, 30 F.R. 13569; Board Order No. 1, 31 F.R. 853; and 5 U.S.C. 552, as amended by Public Law 90-23)

Dated this 8th day of December 1967.

Automotive Agreement Adjustment Assistance Board by the Automotive Assistance Committee.

EDGAR I. EATON,
Executive Secretary.

[F.R. Doc. 67-14566; Filed, Dec. 14, 1967; 8:46 a.m.]

^aDeduct 30 days from time shown when total requirements do not exceed \$2,500.

^bFor vehicles in Federal Supply Classes 2310, 2320, and 2330 included in GSA's consolidated volume and monthly purchase programs, see §§ 101-26.501-4 and 101-26.501-5 for procurement and delivery time schedules. For other vehicles in these classes and those in Federal Supply Class 2340, the leadtime shown is for standard vehicles without special features or attachments.

^cThe following classes will be considered on a case-by-case basis because of special features that may be required. The leadtime shown is for routine requirements.

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission and Department of Transportation

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

MOTOR CARRIER SAFETY REGULATIONS

The primary purpose of this publication of the Motor Carrier Safety Regulations is to collect all currently-effective provisions in a single place and to reflect the transfer of certain regulatory functions from the Interstate Commerce Commission to the Federal Highway Administration of the Department of Transportation pursuant to Public Law 89-670 (80 Stat. 931; 49 U.S.C. et seq.). The revisions made hereby are organizational, procedural, and grammatical only and are not intended to create, alter or revoke pre-existing substantive rights and duties. Accordingly notice of proposed rule making is deemed unnecessary, and these regulations are effective immediately upon publication of the FEDERAL REGISTER.

PARTS 290-298: SAFETY REGULATIONS

PART 290—GENERAL

Subpart A—Definitions

- Sec. 290.1 Motor vehicle.
- 290.2 Vehicle.
- 290.3 Bus.
- 290.4 Truck.
- 290.5 Truck tractor.
- 290.6 Semitrailer.
- 290.7 Full trailer.
- 290.8 Pole trailer.
- 290.9 Driveaway-towaway operation.
- 290.10 Gross weight.
- 290.11 Driver.
- 290.12 Business district.
- 290.13 Residence district.
- 290.14 Other terms.

Subpart B—General

- 290.30 State and local laws, effect on.
- 290.31 Vehicles used for purposes other than as defined.
- 290.32 Motor carrier to require observance of driver regulations.
- 290.33 Applicability of regulations.
- 290.40 Accident and hours of service reports.

AUTHORITY: The provisions of this Part 290 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, unless otherwise noted.

CROSS REFERENCE: See §§ 204.5 and 295.9 for references to field offices.

Subpart A—Definitions

§ 290.1 Motor vehicle.

The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.

§ 290.2 Vehicle.

The term "vehicle" means any conveyance of any type whatsoever operated upon the highways.

§ 290.3 Bus.

The term "bus" means any motor vehicle designed, constructed, and used for the transportation of passengers; including taxicabs.

§ 290.4 Truck.

The term "truck" means any self-propelled motor vehicle except a truck tractor, designed and used, or exclusively used whether or not so designed, for the transportation of property.

§ 290.5 Truck tractor.

The term "truck tractor" means a self-propelled motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

§ 290.6 Semitrailer.

The term "semitrailer" means any motor vehicle other than a "pole trailer," with or without motive power, designed to be drawn by another motor vehicle and so constructed that some part of its weight rests upon the towing vehicle.

§ 290.7 Full trailer.

The term "full trailer" means any motor vehicle, with or without motive power, other than a "pole trailer," designed to be drawn by another motor vehicle and so constructed that no part of its weight except the towing device rests upon the towing vehicle. A semitrailer equipped with an auxiliary front axle (dolly) shall be deemed to be a "full trailer."

§ 290.8 Pole trailer.

The term "pole trailer" means any vehicle without motive power, possibly of variable wheel base, designed to be drawn by another vehicle, and attached to the towing vehicle by means of a "reach," or "pole," or by being "boomed" or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular-shaped loads such as poles, pipes, or structural members capable generally of sustaining themselves as beams between the supporting connections.

§ 290.9 Driveaway-towaway operation.

The term "driveaway-towaway operation" means any operation in which any motor vehicle or motor vehicles, new or used, constitute the commodity being transported, when one set or more of wheels of any such motor vehicle or motor vehicles are on the roadway during the course of transportation; whether or not any such motor vehicle furnishes the motive power.

§ 290.10 Gross weight.

The term "gross weight" means the combined weight of the motor vehicle and any load thereon.

§ 290.11 Driver.

The term "driver" means any person who drives any motor vehicle.

§ 290.12 Business district.

The term "business district" means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one

side or 300 feet collectively on both sides of the highway.

§ 290.13 Residence district.

The term "residence district" means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residence or residences and buildings in use for business.

§ 290.14 Other terms.

Any other term used in Parts 290-297 of this subchapter is used in its commonly accepted meaning, except where such other term has been defined elsewhere in this part or in section 203(a) of the Interstate Commerce Act (49 U.S.C. 203(a)), in which event the definition therein given shall apply.

Subpart B—General

§ 290.30 State and local laws, effect on. Except as otherwise specifically indicated, Parts 290-297 of this subchapter are not intended to preclude States or subdivisions thereof from establishing or enforcing State or local laws relating to safety, the compliance with which would not prevent full compliance with these regulations by the persons subject thereto.

§ 290.31 Vehicles used for purposes other than as defined.

Whenever any motor vehicle other than a bus is used to perform the functions normally performed by a bus, the regulations pertaining to buses and to the transportation of passengers shall apply to that motor vehicle and to its operation as though it were a bus, except with respect to vehicles operated by a motor carrier to transport its employees to and from their place of work in the regular course of the carrier's business. Likewise, whenever any motor vehicle of one type is so used as to perform the functions normally performed by a motor vehicle of another type, the requirements of Parts 290-297 of this subchapter shall apply to such motor vehicle and to its operation in the same manner as though such motor vehicle were actually a motor vehicle of the latter type.

§ 290.32 Motor carrier to require observance of driver regulations.

Whenever in Parts 290-297 of this subchapter a duty is prescribed for a driver or a prohibition is imposed upon him, it shall be the duty of the motor carrier to require observance of such prescription or prohibition; and, if the motor carrier is himself a driver, he shall likewise be bound thereby.

§ 290.33 Applicability of regulations.

Parts 290-297 of this subchapter shall be applicable to common carriers, contract carriers, and private carriers subject to the Department of Transportation Act (49 U.S.C. 1651 et seq.) as shown in the following table:

	Applicable parts of regulations						
	291	292	293	294	295	296	297
A. Vehicles and drivers used wholly within a municipality or the commercial zone thereof as defined by the Interstate Commerce Commission:							
1. When transporting explosives or other dangerous articles of such type and in such quantity as to require the vehicle to be specially marked or placarded under the Explosives and Other Dangerous Articles Regulations, 49 CFR 177.823, or when operating without cargo under conditions which require the vehicle to be so marked or placarded under the cited regulations: except that until further order of the Federal Highway Administration § 290.33(A) shall be governed by the quantity provisions of § 177.823 which were in effect prior to January 1, 1967. I.e., when transports 2,600 pounds or more gross weight of one dangerous article or 5,000 pounds or more gross weight of two or more such items.	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. When operating under such conditions that special marking or placarding is not required under the regulations cited in paragraph A-1 of this table.	No	No	No	Yes	Yes	No	No
B. Vehicles and drivers used beyond a municipality or the commercial zone thereof as defined by the Interstate Commerce Commission:	Yes	Yes	Yes	Yes	Yes	Yes	Yes
1. When transporting explosives or other dangerous articles....	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. When not transporting explosives or other dangerous articles....	Yes	Yes	Yes	Yes	Yes	Yes	No

Note: The operations outlined in A and B above, include the transportation and use of certain vehicles as specifically described in section 203(b) of the Interstate Commerce Act, which include, generally, the following: (1) School buses; (2) taxicabs; (3) hotel buses; (4) motor vehicles under control of the Secretary of the Interior; (5) motor vehicles of agricultural cooperative associations; (6) motor vehicles used exclusively in carrying ordinary livestock, fish, or agricultural commodities; (7) motor vehicles used exclusively in distribution of newspapers; (8) transportation incidental to transportation by aircraft; (9) transportation wholly within a municipality or between contiguous municipalities or within a zone adjacent to and commercially a part of such municipality or municipalities for compensation) and of property consisting of explosives or other dangerous articles by motor vehicle, except that Part 295 is applicable to all casual, occasional, or reciprocal transportation by motor vehicle in interstate or foreign commerce for compensation by any person not engaged in transportation by motor vehicle as a regular occupation or business.

The term "private carrier of property by motor vehicle" means any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle", who or which transports in interstate or foreign commerce by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise. (Section 203(a) (17) of the Interstate Commerce Act.) Except as otherwise specifically provided, motor vehicles

controlled and operated by any farmer when used in the transportation of agricultural commodities and products therefrom from his farm, or in the transportation of supplies to his farm, are subject to the same regulations as those applicable to private carriers of property.

§ 290.40 Accident and hours of service reports.

Where *Med.* Motor carriers shall file reports required by §§ 294.5, 294.7, 294.9, and 295.9 of this subchapter by serving or mailing by first-class mail to the Re-

sional Federal Highway Administrator, Bureau of Motor Carrier Safety, Federal Highway Administration, for the region following table:

Region No.	Territory included	Location of regional office
1	Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. That part of Canada east of Highways 10 and 8 from Fort Burwell to Goderich, thence a straight line running north through Tobernony and Sudbury, and thence due north to the Canadian border. Delaware, District of Columbia, Maryland, Ohio, Pennsylvania, Virginia, and West Virginia.	New York, N.Y. 10013.
2	Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.	Columbus, Ohio 43216.
3	Illinois, Indiana, Kentucky, Michigan, and Wisconsin. That part of Canada west of Highways 10 and 8 from Fort Burwell to Goderich, thence a straight line running north through Tobernony and Sudbury, and thence due north to the Canadian border.	Atlanta, Ga. 30309.
4	Idaho, Montana, Oregon, Washington, and Alaska. That part of Canada west of Highway 0 from Ragsway to Melfort and thence a straight line due north to the Canadian border.	Chicago, Ill. 60604.
5	Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. That part of Canada west of Highway 11 from Nipigon to Macdormid and thence a straight line due north to the Canadian border.	Kansas City, Mo. 64108.
6	Arkansas, Louisiana, Oklahoma, and Texas. All Mexican States except the State of Chihuahua, Baja California, and Sonora, Mexico.	Fort Worth, Tex. 76102.
7	Arizona, California, and Nevada. Baja California and Sonora, Mexico.	San Francisco, Calif. 94102.
8	Idaho, Montana, Oregon, Washington, and Alaska. That part of Canada west of Highway 0 from Ragsway to Melfort and thence a straight line due north to the Canadian border, and all of the Provinces of Alberta and British Columbia.	Portland, Ore. 97204.
9	Colorado, New Mexico, Utah, and Wyoming. State of Chihuahua, Mexico....	Denver, Colo. 80202.

PART 291—QUALIFICATIONS OF DRIVERS

drivers shall comply and be conversant with the requirements of this part.

§ 291.2 Minimum requirements. Except as provided in paragraph (e) of this section, no person shall drive, nor shall any motor carrier require or permit any person to drive, any motor vehicle unless such person possesses the following minimum qualifications:

- (a) *Mental and physical condition.*
- (1) No loss of foot, leg, hand, or arm.
- (2) No mental, nervous, organic, or functional disease, likely to interfere with safe driving.
- (3) No loss of fingers, impairment of use of foot, leg, fingers, hand or arm, or other structural defect or limitation, likely to interfere with safe driving.
- (b) *Eyesight.* Visual acuity of at least 20/40 (Snellen) in each eye either without glasses or by correction with glasses; form field of vision in the horizontal meridian shall not be less than a total of 140 degrees; ability to distinguish colors red, green, and yellow; drivers requiring correction by glasses shall wear

§ 291.1 Compliance required.

Every motor carrier, and his or its officers, agents, representatives, and employees who drive motor vehicles or are responsible for the hiring, supervision, training, assignment, or dispatching of

drivers, shall be responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

§ 291.10 Certificate of physical examination.

§ 291.11 Doctor's certificate.

§ 291.12 Carrier's right to require additional qualifications.

§ 291.13 Driver's past record.

ARTHOGRY: The provisions of this Part 291 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, unless otherwise noted.

ability to distinguish colors specified in § 291.2(b) examination and certification may be made by a licensed optometrist: *Provided further*, That this section shall not apply to drivers of motor vehicles controlled and operated by any farmer when used in the transportation of agricultural commodities or products thereof from his farm, or in the transportation of supplies to his farm.

§ 291.9 Periodic physical examinations of drivers.

Every driver shall be physically re-examined at least once in every 36 months and no person shall drive nor shall any motor carrier require or permit any person to drive any motor vehicle unless such person shall have been physically examined and certified by a licensed doctor of medicine or osteopathy as meeting the requirements of § 291.2: *Provided, however*, That as to visual acuity, form field of vision, and ability to distinguish colors specified in § 291.2(b) examination and certification may be made by a licensed optometrist: *Provided further*, That this section shall not apply to drivers of motor vehicles controlled and operated by any farmer when used in the transportation of agricultural commodities or products thereof from his farm, or in the transportation of supplies to his farm.

§ 291.10 Certificate of physical examination.

If a physical examination is required by § 291.8 or § 291.9 (formerly § 191.8 or § 191.9) every motor carrier shall have in its files at its principal place of business for every driver employed or used by it a legible certificate of a licensed doctor of medicine or osteopathy based on a physical examination as required by §§ 291.8 and 291.9 or a legible photographically reproduced copy thereof: *Provided, however*, That as to visual acuity, form field of vision, and ability to distinguish colors specified in § 291.2 (b) examination and certification may be made by a licensed optometrist; *provided further* that a motor carrier may upon written request to and upon receiving consent from the Director, Bureau of Motor Carrier Safety, Federal Highway Administration, Washington, D.C. 20591, retain such certificates at such

after the termination of the driver's employment.

(9) Every driver granted a waiver under this section shall have in his possession while on duty a copy of the letter granting the waiver or a legible photographically reproduced copy thereof covering himself.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)

§ 291.3 Driving experience.

Every driver shall be experienced in driving some type of motor vehicle (including private automobiles) for not less than 1 year, including experience throughout the four seasons.

§ 291.4 Driving skill.

Every driver shall be competent by reason of experience or training to operate safely the type of motor vehicle or motor vehicles which he drives.

§ 291.5 Knowledge of regulations.

Every driver shall be familiar with the rules and regulations established by the Federal Highway Administration pertaining to the driving of motor vehicles.

§ 291.6 Age.

Every driver shall be not less than 21 years of age: *Provided, however*, That a person not less than 18 years of age may be permitted to drive a motor vehicle controlled and operated by any farmer and used in the transportation of agricultural commodities and products thereof from his farm or in the transportation of supplies to his farm, if such vehicle does not exceed a gross weight, including the load, of 10,000 pounds.

§ 291.7 Knowledge of English.

Every driver shall be able to read and speak the English language.

§ 291.8 Original physical examination of drivers.

No person shall drive nor shall any motor carrier require or permit any person to drive any motor vehicle unless such person shall have been physically examined and shall have been certified by a licensed doctor of medicine or osteopathy as meeting the requirements of § 291.2: *Provided, however*, That as to visual acuity, form field of vision, and

method of loading and securing them, and the experience (if any) of the applicant in driving vehicles of the type to be driven by him.

(4) The application shall specify agreement by both the person and the carrier that the carrier will file promptly with the Director, Bureau of Motor Carrier Safety, such periodic reports as are required and that such reports will contain complete and truthful information as to the extent of the person's driving activity, any accidents in which he may be involved, and any arrests, suspensions, or convictions in which the person is involved.

(1) If the applicant motor carrier is a corporation, the application shall be signed by a corporation officer and the applicant driver.

(ii) If the applicant motor carrier is a partnership, the application shall be signed by at least one of the partners and the applicant driver.

(iii) If the applicant motor carrier is a sole proprietorship, the application shall be signed by the proprietor and the applicant driver.

(5) The applicants shall agree that the waiver shall authorize driving in interstate commercial service for the applicant carrier only, that any arrests or convictions for violations of laws or ordinances, and any revocation or suspension of driving privileges will be reported to the Director, Bureau of Motor Carrier Safety, immediately on occurrence.

(6) The waiver shall not exceed 2 years and will be renewable, upon submission of a new application, if approved by the Director, Bureau of Motor Carrier Safety.

(7) The waiver may be suspended at any time at the discretion of the Director, Bureau of Motor Carrier Safety, and may be canceled by him after the applicant has been given reasonable opportunity to show cause, if any, why such cancellation should not be made.

(8) A copy of the letter granting the waiver under this section, or a legible photographically reproduced copy thereof, shall be retained in the files of the motor carrier at its principal place of business during the period the driver is in the carrier's employment and 12 months

properly prescribed glasses at all times when driving.

(c) *Hearing.* Hearing shall not be less than 10/20 in the better ear, for conversational tones, without a hearing aid.

(d) *Liquor, narcotics, and drugs.* Shall not be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors.

(e) *Waiver of physical requirements.* Any person failing to meet the requirements of paragraph (a) (1) or (a) (3) of this section may be permitted to drive a vehicle, other than a vehicle transporting passengers, or a vehicle transporting explosives or other dangerous articles of such type and in such quantity as to require the vehicle to be specifically marked or placarded under the Explosives and Other Dangerous Articles Regulations (49 CFR 177.323) or when operating without cargo under conditions which require the vehicle to be so marked or placarded under the said regulations, if the Director, Bureau of Motor Carrier Safety, finds that a waiver may be granted consistent with safety and the public interest, and grants such a waiver, on the basis of an application meeting all of the following requirements:

(1) The application must be submitted jointly by a person seeking relief to permit him to drive and by a carrier wishing to employ such person as a driver, who both agree to fulfilling all conditions of the waiver;

(2) The application must be accompanied by reports of medical examinations satisfactory to the Director, Bureau of Motor Carrier Safety, and recommendations by at least two medical examiners, at least one of whom shall have been selected and compensated by the carrier. Such reports and recommendations must indicate the opinions of the medical examiners as to the ability of the driver to operate safely a commercial vehicle of the type to be driven by him.

(3) The application shall contain a description, satisfactory to the Director, Bureau of Motor Carrier Safety, of the type, size, and special equipment (if any) of the vehicle or vehicles to be driven, the general area and type of roads to be traversed, the distances and time periods contemplated, the nature of the commodities to be transported and the

Laboratory findings: Urine analysis is indicated whenever systolic blood pressure is over 160 and diastolic over 100 and such other times as medical history or findings upon physical examination may indicate that they are necessary. A serological test should always be taken in case of those giving history of luetic infection or present physical findings upon examination presenting possibility of latent syphilis. Upon completion of the examination, physician should always date and sign his record of the same.

MINIMUM REQUIREMENTS OF § 291.2

- (a) Mental and physical condition:
 - (1) No loss of foot, leg, hand, or arm.
 - (2) No mental, nervous, organic, or functional disease, likely to interfere with safe driving.
 - (3) No loss of fingers, impairment of use of foot, leg, fingers, hand or arm, or other structural defect or limitation, likely to interfere with safe driving.
- (b) Eyesight: Visual acuity of at least 20/40 (Snellen) in each eye either without glasses or by correction with glasses: form field of vision in the horizontal meridian shall not be less than a total of 140 degrees, ability to distinguish colors red, green, and yellow; drivers requiring correction by glasses shall wear properly prescribed glasses at all times when driving.
- (c) Hearing: Hearing shall not be less than 10/20 in the better ear, for conversational tones, without a hearing aid.
- (d) Liquor, narcotics, and drugs: Shall not be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic beverages or liquors.

PHYSICAL EXAMINATION OF DRIVERS

Name _____ (Date) _____
 Present address _____ (First) (Middle) _____
 _____ (Number) (Street) _____
 _____ (City) (State) _____
 (Social Security Account No.) _____
 Birth _____ (Month, day, year) _____ Age _____

HEALTH HISTORY

- Yes No
- Head or spinal injuries (severe).
 - Convulsions (fits, epilepsy).
 - Encephalitis (sleeping sickness).
 - Ever confined as chronic invalid.
 - Heart disease.
 - Tuberculosis.
 - Syphilis.
 - Gonorrhea.

Thorax—Heart: Stethoscopic examination is required. Note murmurs and arrhythmias. Electro-cardiogram is required when other findings indicate desirability.

Blood pressure: May be recorded with either spring or mercury column type of sphygmomanometer.

Pulse: Normal pulse taken after being seated at least 2 minutes, then have applicant stand and place one foot on the seat of an ordinary chair raise his body to an erect position 20 times in 30 seconds. Pulse rate should return to his normal after 2 minutes' rest. Because of abnormal conditions, some applicants will be unable to do this. This test has been found helpful in ascertaining physical ability for work.

Lungs: It is necessary that the auscultatory cough be used. Tuberculosis, if suspected, state whether active or arrested, and if arrested, your opinion as to how long it has been quiescent. Sputum to be examined for tubercle bacilli in all suspected cases.

Abdomen—Scars: If present, state whether recent and if abnormally tender or if there is any evidence of hernia at the site of scar.

Abnormal masses: If present, note tenderness and whether or not individual knows how long they have been present.

Tenderness: When noted, state where most pronounced and cause suspected.

Hernia: Note whether no hernia, but impulse on coughing; no hernia or impulse, but abnormally large rings. Any hernia should be noted, and if present, state whether it is retained by well-fitted truss.

Genito-urinary: When scars or urethral discharge are present, indicate patient's reason for same and when indicated, submit smear of discharge to laboratory for examination.

Reflexes: If positive Romberg is reported, indicate degree. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following light blow upon the patella; otherwise as normal.

Extremities: Be sure to record loss of foot, leg, fingers, hand or arm, or impairment of use thereof, or other structural defect or limitation, likely to interfere with safe driving.

Upper: Note deformities and limitation of motion.

Lower: Note deformities, limitation of motion; varicose veins.

In case of hand deformities, note particularly whether or not sufficient grip is present to enable driver to secure a grip on the wheel. Record chronic ulcers. Note any atrophy or paralysis.

Spine: Note deformities and limitation of motion.

MEDICAL HISTORY

The purpose of this physical examination is to detect the presence of physical and mental defects of such a character and extent as to affect the applicant's ability to operate safely a motor vehicle. The examination should be made carefully and at least as complete as is indicated by the attached form. Defects may be recorded which do not, because of their character or degree, indicate that a certificate of physical fitness should be denied. The presence, however, of these defects should be discussed with the applicant and he should be encouraged to take the necessary steps to insure correction particularly of those which if neglected might lead to a condition likely to affect his ability to drive safely. Careful inquiry regarding past illness, the character and date of such illness, may reveal cause for defects found upon physical examination. Lack of knowledge concerning the etiology of certain defects may result in the rejection for employment. Such data also may indicate the need for making certain laboratory tests.

General appearance and development: Note marked underweight or overweight; any posture defects; perceptible lump, anemia, tremor, or other form of nervousness such as might be caused by chronic alcoholism, thyroid intoxication, or other illnesses. The regulations of the Federal Highway Administration provide that no driver shall be admitted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic liquors or beverages.

Head—Eyes: The telebinocular, Snellen chart, and other approved tests may be used to measure visual acuity. It is desired, however, when other than the Snellen chart is used, that the results of such test be expressed in values comparable to the standard Snellen test. If applicant wears glasses, these should be worn while applicant's visual acuity is being tested. Indicate on record by striking the inapplicable phrase on form "without glasses" or "with glasses if worn." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, corneal scar, exophthalmos, or strabismus uncorrected by glasses.

Ears: Note evidence of mastoid or middle ear disease; discharge. In recording hearing, record 20 feet as normal distance for conversational voice and record deviation from normal as fraction with 20 feet as denominator and actual distance as numerator.

Mouth: Note evidence of infection, pyorrhea.

Throat: Note evidence of disease, enlarged or infected tonsils.

regional or terminal offices as are proposed by the carrier and approved by the Director. Every driver, if a physical examination is required with respect to him by §§ 291.8 and 291.9, shall have in his possession while on duty, such a certificate, or a photographically reproduced copy thereof covering himself.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)

§ 291.11 Doctor's certificate.

The doctor's certificate shall certify as follows:

DOCTOR'S CERTIFICATE

This is to certify that I have this day examined _____ in accordance with section 291.2 and the physical examination procedure prescribed by the Motor Carrier Safety Regulations of the Federal Highway Administration, and that I find him qualified under said rules.

 (Date) _____ (Place) _____

 (Signature of driver)

 (Address of driver)

 (Signature of examining doctor)

 (Address of doctor)

The following shall be completed to show compliance with the eyesight requirements of section 291.2.

Qualified when not wearing glasses.
 Qualified only when wearing glasses.

(Signature of (check one): Doctor Optometrist)

 (Address)

NOTE: Stocks of doctor's certificates in the possession of carriers or their suppliers as of the effective date of this order may be used until January 1, 1969, provided the information required by section 291.11 is entered thereon.

Such certificate shall be based on a physical examination made and recorded generally in accordance with the following instructions and examination form.

GENERAL INSTRUCTIONS FOR MAKING PHYSICAL EXAMINATION AND RECORDING FINDINGS

[Be sure to record an answer to each question. When negative or positive, so state]

PART 292—DRIVING OF MOTOR VEHICLES

§ 291.12 Carrier's right to require additional qualifications. Nothing contained in Parts 290-297 of this subchapter shall be so construed as to prevent a motor carrier from requiring additional or more stringent physical, mental, or intellectual qualifications or age requirements than prescribed in this part as minima; or to require more frequent or more stringent physical or mental examinations than prescribed in this part, notwithstanding that a driver may have in his possession a doctor's certificate as herein required.

§ 291.13 Driver's past record. In addition to the other qualifications required by this part, motor carriers shall in the employment and use of drivers and from time to time thereafter in continuing drivers in their service give due consideration to the following factors where they exist: (a) Violations of laws or regulations governing the operation of motor vehicles of which the driver is guilty, especially as to those violations which tend to establish a disregard for regulatory requirements and for the public safety. (b) The driver's accident record insofar as it tends to establish a lack of concern for or indifference to his own or the public's safety. (c) Violations of criminal laws of which the driver is guilty, especially with respect to those offenses which tend to demonstrate his unfitness in the public interest to be a driver of a motor vehicle in interstate or foreign commerce.

Motor carriers shall maintain and preserve as a part of each driver's personnel record a summary of all driver acts and offenses which are within the purview of this section. In addition to the periodic review of such records as contemplated by this regulation, motor carriers shall specifically review the individual record of a driver when he is involved in a serious accident to the end that reckless or accident-prone drivers may not continue to drive vehicles as a hazard to the public safety.

Sec. 292.64 Riding within closed vehicles without proper exits. 292.65 Sleeper berth; transfer to or from. 292.66 Carbon monoxide; use of vehicle when detected. 292.67 Heater, flame-producing; on vehicle in motion. 292.68 Motive power not to be disengaged.

AUTHORITY: The provisions of this Part 292 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304.

Subpart A—General

§ 292.1 Compliance required. Every motor carrier shall comply with the requirements of this part, shall instruct its officers, agents, representatives, and drivers with respect thereto, and shall take such measures as are necessary to insure compliance therewith by such persons. All officers, agents, representatives, drivers, and employees of motor carriers, directly concerned with the management, maintenance, operation, or driving of motor vehicles, shall comply with and be conversant with the requirements of this part.

§ 292.2 Additional carrier rules permitted. Nothing contained in Parts 290-297 of this subchapter shall be construed as prohibiting any motor carrier from enforcing additional rules and regulations relating to safety of operation, not inconsistent with Parts 290-297 of this subchapter, tending to a greater degree of precaution against accidents. § 292.3 Driving rules to be obeyed. Every motor vehicle shall be driven in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated, unless such laws, ordinances and regulations are at variance with specific regulations of the Federal Highway Administration which impose a greater affirmative obligation or restraint. § 292.4 Driving while ill or fatigued. No driver shall drive or be required or permitted to drive a motor vehicle while his ability or alertness is so impaired through fatigue, illness, or any other cause as to make it unsafe for him to begin or continue to drive, except in case of grave emergency where the hazard to

Subpart B—Driving of Vehicles

292.10 Railroad grade crossings; stopping required. 292.11 Railroad grade crossings; slowing down required. 292.12 Drawbridges; stopping of buses, vehicles. 292.13 Drawbridges; slowing down of other vehicles. 292.14 Hazardous conditions; extreme caution. 292.15 Required and prohibited use of turn signals.

Subpart C—Stopped Vehicles

292.20 Unattended vehicles; precautions. 292.21 Stopped vehicles not to interfere with other traffic. 292.22 Emergency signals; disabled vehicles. 292.23 Emergency signals; stopped or parked vehicles. 292.24 Emergency signals; flame-producing. 292.25 Emergency signals; dangerous cargoes. 292.26 Red flags; stopped vehicles.

Subpart D—Use of Lighted Lamps and Reflectors. 292.30 Lighted lamps; moving vehicles. 292.31 Lighted lamps; stopped or parked vehicles. 292.32 Upper and lower head-lamp beams. 292.33 Obscured lamps or reflectors.

Subpart E—Accidents; Duties of Driver

292.40 All accidents. 292.41 Striking unattended vehicle. Subpart F—Fueling Precautions. 292.50 Ignition of fuel; prevention. 292.51 Reserve fuel. 292.52 Buses, fueling.

Subpart G—Prohibited Practices

292.60 Unauthorized persons not to be transported. 292.61 Driving by unauthorized person. 292.62 Bus driver; distraction. 292.63 Towing or pushing loaded buses.

HEALTH HISTORY—Continued

- Yes No Diabetes. Stomach ulcer. Rheumatic fever. Asthma. Kidney disease. Suffering from incurable disease. Permanent defect as result of disease or accident. Other illnesses or injuries

PHYSICAL EXAMINATION: General appearance and development: Good Fair Poor Height Weight Head: (Without glasses) Eyes: For distance Left 20/ Right 20/ (With glasses if worn) Evidence of disease or injury: Right Left Color vision: Horizontal field of vision: Right Left

Ears: Hearing, 20 feet: Right ear Left ear Disease or injury Mouth Throat Heart If organic disease is present, is it fully compensated? Blood pressure (sitting): Pulse: Before exercise Two minutes' rest after exercise Lungs: Abdomen: Scars Tenderness Hernia: Yes No If so, where? Genito-Urinary: Scars Urethral discharge: Reflexes: Rhombberg Pupillary Accommodation R L Kneee Jerks: Right: Normal Increased Absent Left: Normal Increased Absent

Extremities: Upper Lower Spine Laboratory findings: Urine: Sp. Gr. Alb. Sugar Blood Serology Chest X-ray (Date)

(Examining doctor) (Address)

passengers would be increased by observance of this section, and then only to the nearest point at which the safety of passengers is assured.

§ 292.5 Alcoholic beverages.

No driver shall drive or be required or permitted to drive a motor vehicle, be in active control of any such vehicle, or go on duty, or remain on duty, when under the influence of any alcoholic beverage or liquor, regardless of its alcoholic content, nor shall any driver drink any such beverage or liquor while on duty.

§ 292.6 Schedules to conform with speed limits.

No motor carrier shall schedule a run nor permit nor require the operation of any motor vehicle between points in such period of time as would necessitate the vehicle being operated at speeds greater than those prescribed by the jurisdictions in or through which the vehicle is being operated.

§ 292.7 Equipment, inspection and use.

No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the following parts and accessories are in good working order, nor shall any driver fail to use or make use of such parts and accessories when and as needed:

Service brakes, including trailer brake connections.

Parking (hand) brake.

Steering mechanism.

Lighting devices and reflectors.

Tires.

Horn.

Windshield wiper or wipers.

Rear-vision mirror or mirrors.

Coupling devices.

§ 292.8. Emergency equipment, inspection, and use.

No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that the emergency equipment required by §§ 293.95 and 293.96 of this subchapter is in place and ready for use; nor shall any driver fail to use or make use of such equipment when and as needed.

§ 292.9 Safe loading.

(a) *Distribution and securing of load.*
No motor vehicle shall be driven nor shall any motor carrier permit or require any motor vehicle to be driven if it is so loaded, or if the load thereon is so improperly distributed or so inadequately secured, as to prevent its safe operation.

(b) *Doors, tarpaulins, tailgates and other equipment.* No motor vehicle shall be driven unless the tailgate, tailboard, tarpaulins, doors, all equipment and rigging used in the operation of said vehicle, and all means of fastening the load, are securely in place.

(c) *Interference with driver.* No motor vehicle shall be driven when the loading or any other object obscures his view ahead, or to the right or left sides, or interferes with the free movement of his arms or legs, or prevents his free and ready access to the accessories required for emergencies, or prevents the free and ready exit of any person from the cab or driver's compartment.

(d) *Passengers on buses.* No bus shall be driven unless:

(1) Standaees are to the rear of a line or other device prescribed in § 293.90 of this subchapter.

(2) Aisle seats, if any, are in accordance with § 293.91 of this subchapter.

(e) *Freight or express on buses.* No bus transporting baggage, express or freight shall be driven unless such articles are stowed in a manner which will assure: (1) Unrestricted freedom of motion to the driver for proper operation of the bus; (2) unobstructed passage to all exits by any person; and (3) adequate protection to passengers and others from injury as a result of the displacement or falling of such articles.

Subpart B—Driving of Vehicles

§ 292.10 Railroad grade crossings; stopping required.

(a) Except as provided in paragraph (b) of this section, the driver of any motor vehicle described in subparagraphs (1) through (6) of this paragraph, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet, but not less than 15 feet from the nearest rail of

such railroad, and while so stopped shall listen and look in both directions along such track for any approaching train, and shall not proceed until such precautions have been taken and until he has ascertained that the course is clear.

(1) Every bus transporting passengers.

(2) Every motor vehicle transporting any quantity of chlorine.

(3) Every motor vehicle which, in accordance with the regulations of the Department of Transportation, is required to be marked or placarded with one of the following markings:

(i) Explosives A.

(ii) Explosives B.

(iii) Poison.

(iv) Flammable.

(v) Oxidizers.

(vi) Compressed Gas.

(vii) Corrosives.

(viii) Flammable Gas.

(ix) Radioactive.

(x) Dangerous.

(4) Every cargo tank motor vehicle, whether loaded or empty, used for the transportation of any dangerous article as defined in the regulations of the Department of Transportation or for the transportation of any liquid having a flashpoint below 200° Fahrenheit, as determined by the Standard Method of Test for Flash Point of the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103, as set forth in ASTM D-56-61, ASTM D-92-57, or ASTM D-93-62, and referenced by the National Fire Protection Association, 60 Battery March Street, Boston, Mass. 02110, in Pamphlet No. 385, 1964 edition.

(5) Every cargo tank motor vehicle transporting a commodity which at the time of loading has a temperature above its flashpoint as determined by the same standard method of testing as prescribed in subparagraph (4) of this paragraph.

(6) Every cargo tank motor vehicle, whether loaded or empty, transporting any commodity under special permit in accordance with the provisions of § 173.22 of this chapter.

(b) A stop need not be made at:

(1) A streetcar crossing, or railroad tracks used exclusively for industrial switching purposes, within a business

district as defined in § 290.12 of this chapter.

(2) A railroad grade crossing when a police officer or crossing flagman directs traffic to proceed.

(3) A railroad grade crossing where a stop and go traffic light controls movement of traffic.

(4) An abandoned railroad grade crossing which is marked with a sign indicating that the rail line is abandoned.

(5) An industrial or spur line railroad grade crossing marked with a sign reading "Exempt Crossing." Such "Exempt Crossing" signs shall be erected only by or with the consent of the appropriate State or local authority.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)

§ 292.11 Railroad grade crossings; slowing down required.

Every motor vehicle other than those listed in § 292.10 shall, upon approaching a railroad grade crossing, be driven at a rate of speed which will permit said motor vehicle to be stopped before reaching the nearest rail of such crossing and shall not be driven upon or over such crossing until due caution has been taken to ascertain that the course is clear.

§ 292.12 Drawbridges; stopping of buses.

Every motor vehicle transporting passengers shall, upon approaching any drawbridge, known or marked as such be brought to a complete stop, not less than 50 feet from the lip of the draw, and shall proceed only when the driver has definitely ascertained that the draw is completely closed. A full stop need not be made at any drawbridge protected by a traffic "stop and go" signal giving positive indication to approaching vehicles to proceed, or where upon the opening of the draw, traffic is controlled by an attendant or traffic officer.

§ 292.13 Drawbridges; slowing down of other vehicles.

Any other motor vehicle, shall, upon approaching a drawbridge, be driven at a rate of speed which will permit said motor vehicle to be stopped before reaching the lip of the draw and shall

proceed only when the draw is completely closed.

§ 292.14 Hazardous conditions; extreme caution.

Extreme caution in the operation of a motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions become sufficiently dangerous, the operation of the vehicle shall be discontinued and shall not be resumed until the vehicle can be safely operated. Whenever compliance with the foregoing provisions of this rule increases hazard to passengers, the motor vehicle may be operated to the nearest point at which the safety of passengers is assured.

§ 292.15 Required and prohibited use of turn signals.

(a) *Turns.* Every motor vehicle turn shall be signaled for a distance of not less than 100 feet in advance of, and during, the turning movement by flashing the turn signals at the front and the rear of the vehicle on the side toward which the turning movement is made.

(b) *Entry into traffic stream.* Turn signals shall be flashed to indicate the direction of vehicle movement, prior to and during entry of the vehicle into the traffic stream from a parked position.

(c) *Lane changes.* Turn signals shall be flashed to indicate the direction of vehicle movement continuously, for a distance of not less than 100 feet in advance of, and during, the turning movement of the vehicle from one traffic lane to another.

(d) *Parking or disabement.* Turn signals shall not be flashed on one side only on parked or disabled vehicles.

(e) *Courtesy or "do pass" signals.* Turn signals shall not be used as courtesy or "do pass" signals to operators of vehicles approaching from the rear.

Subpart C—Stopped Vehicles

§ 292.20 Unattended vehicles; precautions.

No motor vehicle shall be left unattended until the parking brake has been securely set and all reasonable precautions have been taken to prevent the movement of such vehicle.

§ 292.21 Stopped vehicles not to interfere with other traffic.

No motor vehicle shall be stopped, parked, or left standing, whether attended or unattended, upon the traveled portion of any highway outside of a business or residential district, when it is practicable to stop, park, or leave such vehicle off the traveled portion of the highway. In the event that conditions make it impracticable to move such motor vehicle from the traveled portion of the highway, the driver shall make every effort to leave all possible width of the highway opposite the standing vehicle for the free passage of other vehicles and he shall take care to provide a clear view of the standing vehicle as far as possible to the front and rear.

§ 292.22 Emergency signals; disabled vehicles.

(a) *Turn signals.* Whenever any motor vehicle is disabled upon the traveled portion of any highway or the shoulder thereof, during the period lighted lamps are required, except where there is sufficient all-right street or highway lighting provided as such to make it clearly discernible to persons on the highway at a distance of 500 feet, the driver of such vehicle shall immediately, upon learning of the disability, flash the two front and two rear turn signals simultaneously as a vehicular traffic hazard warning and continue such flashing until he shall have placed the portable emergency signals required by paragraphs (b) to (e) of this section in use on the highway, and during the time such portable emergency signals are being picked up for storage prior to movement of the vehicle. These warning signals may be given at other times during vehicle disabement in addition to but not in lieu of the portable emergency signals required in paragraphs (b) to (e) of this section.

(b) *Fuses, lanterns, or reflector.* The driver of such vehicle shall immediately place on the traveled portion of the highway at the traffic side of the disabled vehicle, a lighted fusee, a lighted electric lantern, or a red emergency reflector.

(c) *Flares, lanterns, or reflectors.* Except as provided in paragraphs (d), (e), and (f) of this section, as soon thereafter as possible, but in any event

within the burning period of the fusee, the driver shall place three liquid-burning flares (pot torches), or three red electric lanterns, or three red emergency reflectors on the traveled portion of the highway in the following order:

(1) One at a distance of approximately 100 feet from the disabled vehicle in the center of the traffic lane occupied by such vehicle and toward traffic approaching in that lane;

(2) One at a distance of approximately 100 feet in the opposite direction from the disabled vehicle in the center of the traffic lane occupied by such vehicle; and

(3) One at the traffic side of the disabled vehicle, not less than 10 feet to the front or rear thereof. If a red electric lantern or red emergency reflector has been placed on the traffic side of the vehicle in accordance with paragraph (b) of this section, it may be used for this purpose.

(d) *Hills, curves, and obstructions.* If disabement of any motor vehicle occurs within 500 feet of a curve, crest of a hill or other obstruction to view, the driver shall so place the warning signal in that direction as to afford ample warning to other users of the highway, but in no case less than 100 feet nor more than 500 feet from the disabled vehicle.

(e) *Divided or one-way roads.* If disabement of any motor vehicle occurs upon any roadway of a divided or one-way highway, the driver shall place one warning signal at a distance of 200 feet and one such signal at a distance of 100 feet to the rear of the vehicle in the center of the lane occupied by the stopped vehicle; one such signal at the traffic side of the vehicle not less than 10 feet to the rear of the vehicle.

(f) *Leaking, flammable material.* If gasoline or any other flammable liquid, or combustible liquid or gas seeps or leaks from a fuel container or a motor vehicle disabled or otherwise stopped upon a highway, no emergency warning signal producing a flame shall be lighted or placed except at such a distance from any such liquid or gas as will assure the prevention of a fire or explosion.

§ 292.23 Emergency signals; stopped or parked vehicles.

(a) *Stops 10 minutes or less.* Whenever for any cause other than disabement

ment or necessary traffic stops, any motor vehicle is stopped upon the traveled portion of any highway, or shoulder thereof, during the period lighted lamps are required, except where there is sufficient all-right street or highway lighting provided as such to make it clearly discernible to persons on the highway at a distance of 500 feet, the driver of such vehicle shall immediately flash the two front and two rear turn signals simultaneously as a vehicular traffic hazard warning signal. These flashing warning signals shall be given continually if the stop is not to exceed 10 minutes.

(b) *Stops over 10 minutes.* If the stop is to exceed 10 minutes, the driver shall place emergency signals as required and in the manner prescribed by § 292.22 (b), (c), (d), and (e).

§ 292.24 Emergency signals; flame-producing.

No driver shall attach or permit any person to attach a lighted fusee or other flame-producing emergency signal to any part of a motor vehicle.

§ 292.25 Emergency signals; dangerous cargoes.

No driver shall use or permit the use of any flame-producing emergency signal for protecting any motor vehicle transporting explosives, Class A or Class B; any cargo tank motor vehicle used for liquid or flammable compressed, gas, whether loaded or empty; or any motor vehicle using compressed gas as a motor fuel. In lieu thereof, red electric lanterns or red emergency reflectors shall be used, the placement of which shall be in the same manner as prescribed in § 292.22 (b) and (c).

§ 292.26 Red flags; stopped vehicles.

During the time when lighted lamps are not required, whenever a motor vehicle is disabled, stopped, or parked upon the traveled portion of any highway or shoulder thereof, except within the business or residential district of a municipality, the driver of such vehicle shall place red flags as follows:

(a) One at a distance of approximately 100 feet from the vehicle in the center of the traffic lane occupied by such vehicle toward traffic approaching in that lane;

This section shall not apply to the operation of motor vehicles controlled and operated by any farmer and used in the transportation of agricultural commodities or products thereof from his farm or in the transportation of supplies to his farm.

§ 292.61 Driving by unauthorized person.
Except in case of emergency, no driver shall permit a motor vehicle to which he is assigned to be driven by any person not authorized to drive such vehicle by the motor carrier in control thereof.

§ 292.62 Bus driver; distraction.
No driver while driving a bus shall engage in any unnecessary conversation or other activities tending to distract his attention from the operation of such vehicle.

§ 292.63 Towing or pushing loaded buses.

No disabled bus with passengers aboard shall be towed or pushed; nor shall any person use or permit to be used a bus with passengers aboard for the purpose of towing or pushing any disabled vehicle, except in such circumstances where the hazard to passengers would be increased by observance of the foregoing provisions of this section, and then only in traveling to the nearest point where the safety of the passengers is assured.

§ 292.64 Riding within closed vehicles without proper exits.

No person shall ride within the closed body of any motor vehicle unless there are means on the inside thereof of obtaining exit. Said means shall be in such condition as to permit ready operation by the occupant.

§ 292.65 Sleeper berth; transfer to or from.

No person shall transfer to or from a sleeper berth while a motor vehicle is in motion unless by means of a direct access between the cab and the berth.

§ 292.66 Carbon monoxide; use of vehicle when detected.
No person shall dispatch or drive any motor vehicle or permit any passengers thereon, when the following conditions

Subpart F—Fueling Precautions

§ 292.50 Ignition of fuel; prevention.
No driver or any employee of a motor carrier shall:

(a) Fuel a motor vehicle with the engine running, except when it is necessary to run the engine to fuel the vehicle;

(b) Smoke or expose any open flame in the vicinity of a vehicle being fueled;

(c) Fuel a motor vehicle unless the nozzle of the fuel hose is continuously in contact with the intake pipe of the fuel tank;

(d) Permit, insofar as practicable, any other person to engage in such activities as would be likely to result in fire or explosion.

§ 292.51 Reserve fuel.

No supply of fuel for the propulsion of said motor vehicle or for the operation of accessories shall be carried on any motor vehicle except in a properly mounted fuel tank or tanks.

§ 292.52 Buses; fueling.

No bus shall be fueled in a closed building with passengers aboard. The fueling of buses when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

Subpart G—Prohibited Practices

§ 292.60 Unauthorized persons not to be transported.

Unless specifically authorized in writing to do so by the motor carrier under whose authority the motor vehicle is being operated, no driver shall transport any person or permit any person to be transported on any motor vehicle other than a bus. When such authorization is issued, it shall state the name of the person to be transported, the points where the transportation is to begin and end, and the date upon which such authority expires. No written authorization, however, shall be necessary for the transportation of:

(a) Employees or other persons assigned to a vehicle by a motor carrier;

(b) Any person transported when aid is being rendered in case of an accident or other emergency;

(c) An attendant delegated to care for livestock.

to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead;

(b) *Lower beam.* When within 500 feet of an on-coming vehicle, he shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the on-coming driver and such distribution of light shall also be used when following another vehicle within 500 feet.

§ 292.33 Obscured lamps or reflectors.
No motor vehicle shall be driven when any of the required lamps or reflectors are obscured by the tailboard, by any part of the load, by dirt, or otherwise.

Subpart E—Accidents; Duties of Driver

§ 292.40 All accidents.

Every driver of a motor vehicle involved in an accident from which there results injury to or death of any person, or persons, or property damage of any kind, regardless of the amount, shall:

(a) Stop immediately;

(b) Take all necessary precaution to prevent further accident at the scene;

(c) Render all reasonable assistance to injured persons (movement of injured persons by a driver should not be undertaken if likely to cause further injury);

(d) Give to any person demanding the same, his name and address, the name and address of the motor carrier for whom he is then driving, the State tag registration number of the vehicle involved, and if requested, exhibit his chauffeur's or operator's license;

(e) Report all details of the accident as soon as practicable after its occurrence to the motor carrier then using his services.

§ 292.41 Striking unattended vehicle.

If a moving vehicle strikes a vehicle standing unattended upon a highway, the driver of the former shall immediately stop and endeavor to locate the custodian of the unattended vehicle, and if his reasonable effort to do so is unsuccessful, the driver of the vehicle doing the striking shall place securely and conspicuously in or on the unattended vehicle his name and address and that of the motor carrier for whom he is then driving.

(b) One at a distance of approximately 100 feet in the opposite direction from the vehicle in the center of the traffic lane occupied by such vehicle.

Subpart D—Use of Lighted Lamps and Reflectors

§ 292.30 Lighted lamps; moving vehicles.

No motor vehicle shall be driven upon the highway unless the lamps required by Part 293 of this subchapter are lighted:

(a) During the period of one-half hour after sunset to one-half hour before sunrise;

(b) During any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.

§ 292.31 Lighted lamps; stopped or parked vehicles.

Whenever any motor vehicle is parked or stopped upon the highway within a business or residential district of a municipality, whether attended or unattended, during the times mentioned in § 292.30, at least one white or amber light shall be displayed on the traffic side of the motor vehicle, visible from a distance of 500 feet to the front of the motor vehicle and at least one red light visible from a distance of 500 feet to the rear; and head-lamp beam shall be dimmed or depressed, if in use; *Provided, however,* That no lamps need be lighted if there is sufficient highway lighting to make clearly discernible persons and vehicles at a distance of 500 feet, unless lighted lamps are required by local regulations.

§ 292.32 Upper and lower head-lamp beams.

During the times when lighted lamps are required, every driver shall obey the following:

(a) *Upper beam.* He shall use the upper distribution of light when there is no on-coming vehicle within 500 feet; *Provided, however,* That a lower distribution of light may be used when fog, dust, or other atmospheric conditions make it desirable for reasons of safety, and when within the confines of municipalities where there is sufficient light

Sec. 293.26 Requirements for reflectors.
 293.27 Wiring specifications.
 293.28 Wiring to be protected.
 293.29 Grounds.
 293.30 Battery installation.
 293.31 Overload protective devices.
 293.32 Detachable electrical connections.
 293.33 Wiring, installation.

Subpart C—Brakes

293.40 Adequacy of brakes.
 293.41 Parking brakes.
 293.42 Brakes required on all wheels.
 293.43 Breakaway and emergency braking.
 293.44 Front brake lines, protection.
 293.45 Brake tubing and hose, adequacy.
 293.46 Brake tubing and hose connections.
 293.47 Brake lining.
 293.48 Brakes to be operative.
 293.49 Single valve to operate all brakes.
 293.50 Reservoirs required.
 293.51 Warning devices and gauges.
 293.52 Brake performance.

Subpart D—Glazing and Window Construction

293.60 Glazing in specified openings.
 293.61 Window construction.
 293.62 Window obstructions.
 293.63 Windows, markings.

Subpart E—Fuel Systems

293.65 Fuel systems.
 293.66 Liquefied petroleum gas fuel systems.

293.67 Heater, flame-producing; on vehicle in motion.
 No open flame heater used in the loading or unloading of the commodity transported shall be in operation while the vehicle is in motion.
 § 292.68 Motive power not to be disengaged.
 No motor vehicle shall be driven with the source of motive power disengaged from the driving wheels except when such disengagement is necessary to stop or to shift gears.

PART 293—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Subpart A—General

293.1 Compliance.
 293.2 Additional equipment and accessories.

Subpart B—Lighting Devices, Reflectors, and Electrical Equipment

293.11 Lamps and reflectors, small buses and trucks.
 Every bus or truck less than 80 inches in overall width shall be equipped as follows:
 (a) On the front, at least two head lamps, an equal number at each side; two turn signals, one at each side;
 (b) On the rear, two tail lamps, one at each side; two stop lamps, one at each side; two turn signals, one at each side, and two reflectors, one at each side.

Subpart C—Coupling Devices and Towing Methods

293.70 Coupling devices and towing methods, except for driveaway-towaway operations.
 293.71 Coupling devices and towing methods, driveaway-towaway operations.

Subpart G—Miscellaneous Parts and Accessories

293.75 Tires.
 293.76 Sleeper berths.
 293.77 Heaters.
 293.78 Windshield wipers.
 293.79 Defrosting device.
 293.80 Rear-vision mirrors.
 293.81 Horn.
 293.82 Speedometer.
 293.83 Exhaust system location.
 293.84 Floors.
 293.85 Protection against shifting cargo.
 293.86 Rear end protection.
 293.87 Flags on projecting loads.
 293.88 Television receivers.
 293.89 Buses, driveshaft protection.
 293.90 Buses, stanchion line or bar.
 293.91 Buses, aisle seats prohibited.
 293.92 Buses, marking emergency doors.

Subpart H—Emergency Equipment

293.95 Emergency equipment on all power units.
 293.96 Buses, additional emergency equipment.

Authority: The provisions of this Part 293 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, unless otherwise noted.

Subpart A—General

§ 293.1 Compliance.
 Every motor carrier, and its officers, agents, drivers, representatives, and employees directly concerned with the installation and maintenance of equipment and accessories, shall comply and be conversant with the requirements and specifications of this part, and no motor carrier shall operate any motor vehicle, or cause or permit it to be operated, unless it is equipped in accordance with said requirements and specifications.

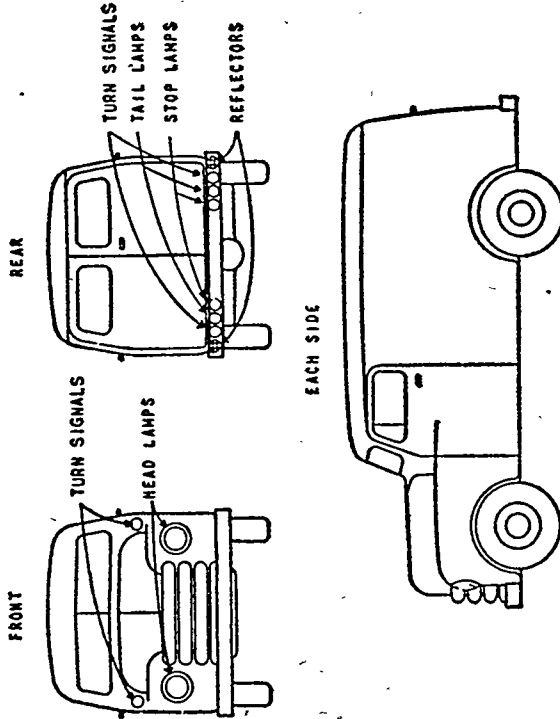
§ 293.2 Additional equipment and accessories.

Nothing contained in Parts 290-297 of this subchapter shall be construed to prohibit the use of additional equipment and accessories, not inconsistent with or prohibited by Parts 290-297 of this subchapter, provided such equipment and accessories do not decrease the safety of operation of the motor vehicles on which they are used.

Subpart B—Lighting Devices, Reflectors, and Electrical Equipment

§ 293.11 Lamps and reflectors, small buses and trucks.
 Every bus or truck less than 80 inches in overall width shall be equipped as follows:
 (a) On the front, at least two head lamps, an equal number at each side; two turn signals, one at each side;
 (b) On the rear, two tail lamps, one at each side; two stop lamps, one at each side; two turn signals, one at each side, and two reflectors, one at each side.

(Diagram to illustrate § 293.11.)



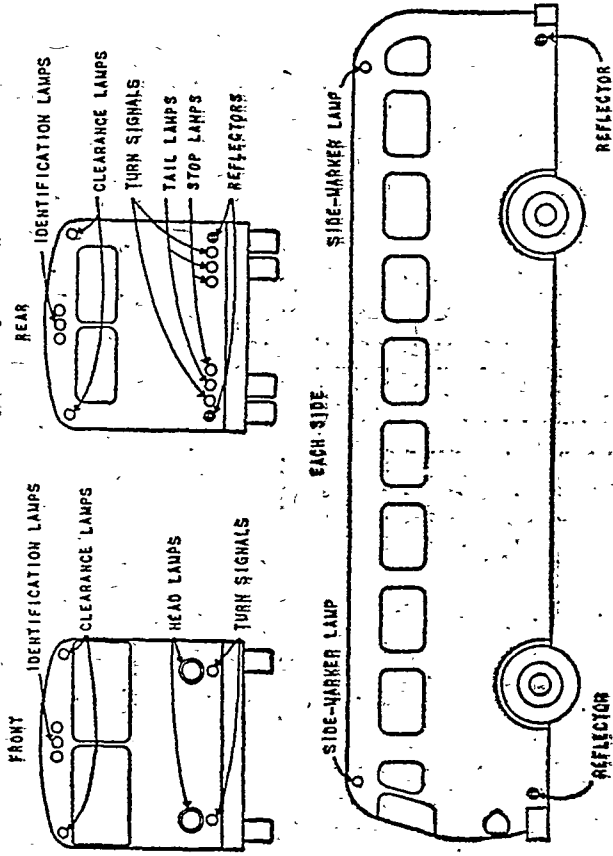
NO REQUIREMENT
 Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

§ 293.12 Lamps and reflectors, large buses and trucks.

Every bus or truck 80 inches or more in overall width shall be equipped as follows:

(a) On the front, at least two headlamps, an equal number at each side; two turn signals, one at each side; three clearance lamps, one at each side; three identification lamps, mounted on the vertical centerline of the vehicle, provided that the identification lamps need not be lighted if obscured by a vehicle different from the centerline of the vehicle, except that where the cab is more than 42 inches wide at the front roofline, a single lamp at the center of the cab shall be deemed to comply with the requirement for identification lamps.

(Bus diagram to illustrate § 293.12.)

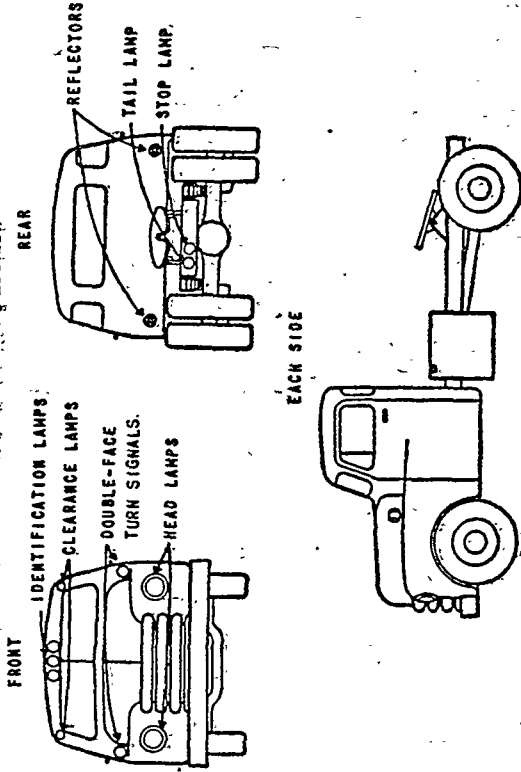


§ 293.13 Lamps and reflectors, truck tractors.

Every truck tractor shall be equipped as follows:

(a) On the front, at least two headlamps, an equal number at each side; two turn signals, one at each side; two clearance lamps, one at each side; three identification lamps, mounted on the vertical centerline of the vehicle, or the vertical centerline of the cab where different from the centerline of the vehicle, except that where the cab is not

(Diagram to illustrate § 293.13.)



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

§ 293.14 Lamps and reflectors, large semitrailers and full trailers.

Every semitrailer or full trailer 80 inches or more in overall width, except converter dollies, shall be equipped as follows:

(a) On the front, two clearance lamps, one at each side;

(b) On the rear, two tail lamps, one at each side; two stop lamps, one at each

more than 42 inches wide at the front roofline, a single lamp at the center of the cab shall be deemed to comply with the requirement for identification lamps. No part of the identification lamps or their mountings may extend below the top of the vehicle windshield.

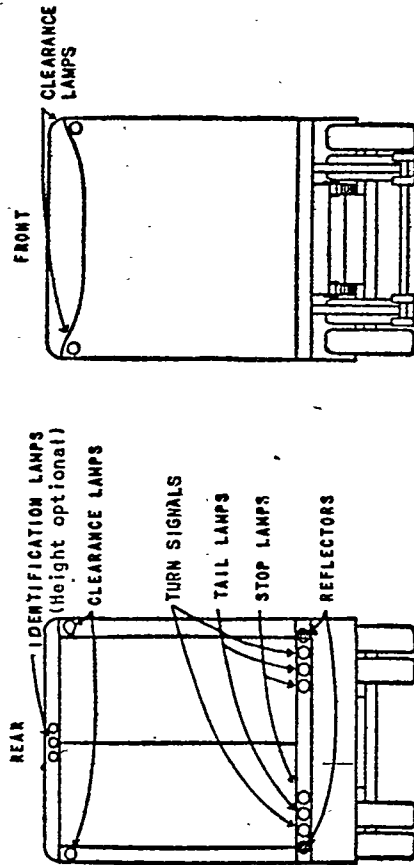
(b) On the rear, one tail lamp; one stop lamp; two reflectors, one at each side; and, unless the turn signals on the front are so constructed (double faced) and located as to be visible to passing drivers, two turn signals on the rear of the cab, one at each side.

side; two turn signals, one at each side; two clearance lamps, one at each side; three identification lamps, mounted on the vehicle centerline of the vehicle, provided that the identification lamps need not be lighted if obscured by another vehicle in the same combination;

(c) On each side, one side-marker lamp at or near the front; one side-

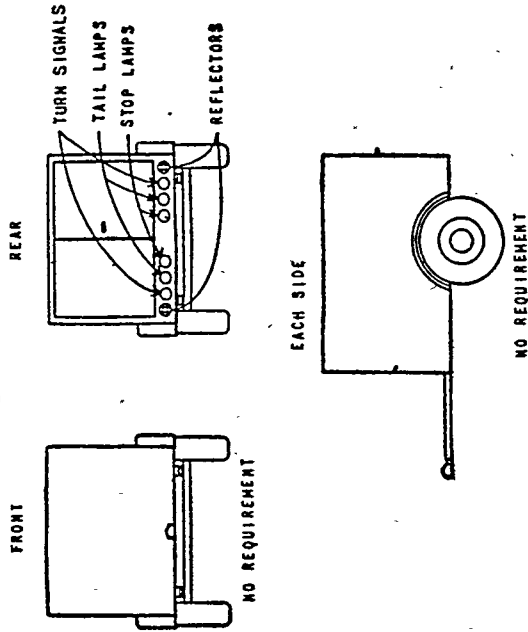
marker lamp at or near the rear; one reflector at or near the front; one reflector at or near the rear; and, in case of semitrailers and full trailers 30 feet or more in length, at least one additional side-marker lamp at optional height and at least one additional reflector, the additional side-marker lamp (or lamps) and reflector (or reflectors) to be at or near the center or at approximately uniform spacing in the length of the vehicle.

(Diagram to illustrate § 293.14.)



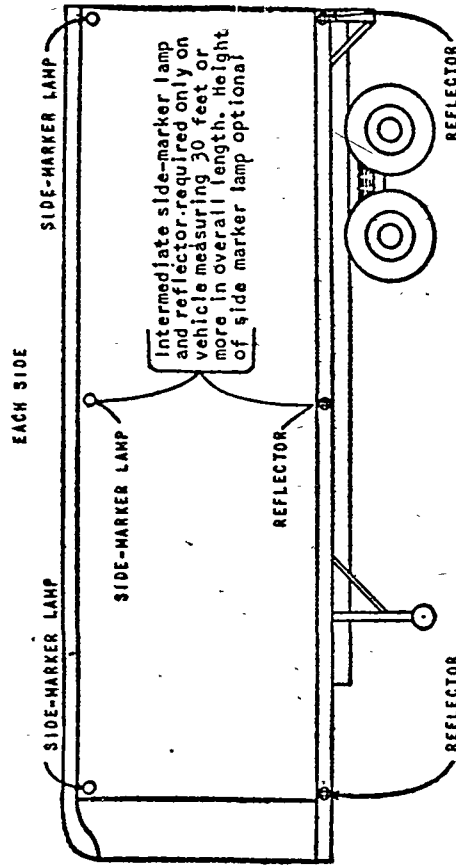
§ 293.15 Lamps and reflectors, small semitrailers and full trailers. Every semitrailer or full trailer less than 80 inches in overall width shall be equipped as follows:

(Diagram to illustrate § 293.15.)



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

(d) For the purposes of these regulations, a converter dolly is a motor vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which vehicle converts a semitrailer to a full trailer. Each dolly, when towed singly by another vehicle, and not as part of a full trailer, shall be equipped with one stop lamp, one tail lamp, and two reflectors on the rear. No lighting devices or reflectors are required on the front or sides of any dolly.



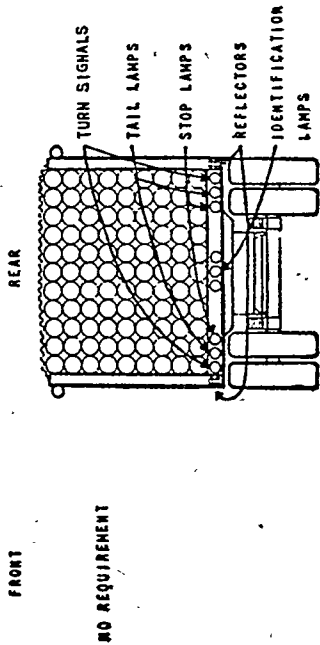
§ 293.16 Lamps and reflectors, pole trailers, drawing the pole trailer and higher than the load being transported; (b) On the rear of projecting loads. (See § 293.18.)

(a) On the rear, two tail lamps, one at each side; two stop lamps, one at each side; two turn signals, one at each side; two reflectors, one at each side, placed to indicate extreme width of the pole trailer; three identification lamps mounted on the vertical centerline of the pole trailer or in lieu thereof mounted on the vertical centerline of the rear of the cab of the truck tractor load, one red reflector.

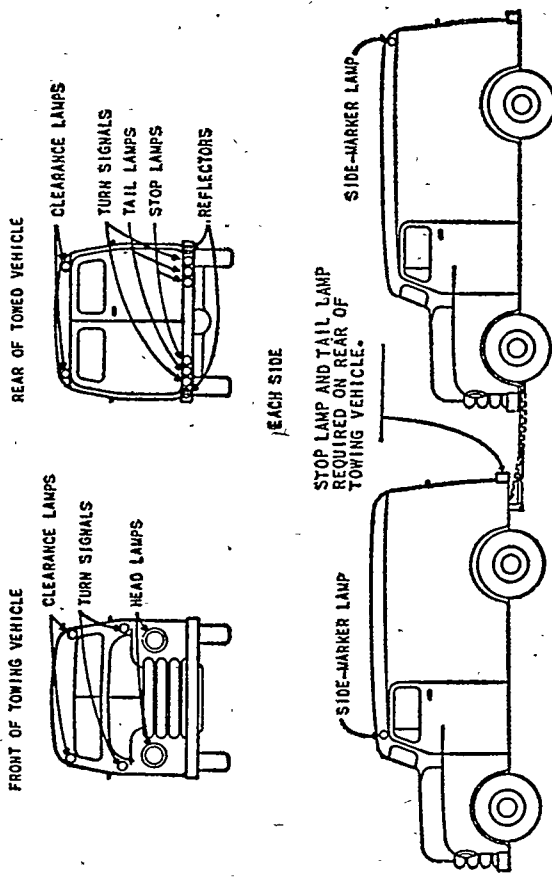
Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

- (3) On the rear, one tail lamp and one stop lamp;
- (b) On the towed vehicle of a tow-bar combination, the towed vehicle of a single saddle-mount combination, and on the rearmost towed vehicle of a double or triple saddle-mount combination, or on a vehicle full-mounted on a saddle-mount vehicle:
- (1) On each side and near the rear, one side-marker lamp;
 - (2) On the rear, one tall lamp, one stop lamp, two turn signals, two clear-
- ance lamps, and two reflectors, one at each side; and, if any vehicle in the combination is 80 inches or more in overall width, three identification lamps;
- (c) On the first saddle-mounted vehicle of a double saddle-mount combination and on the first and second saddle-mounted vehicles of a triple saddle-mount combination:
- (1) On each side and near the rear, one side-marker lamp.
- (Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)

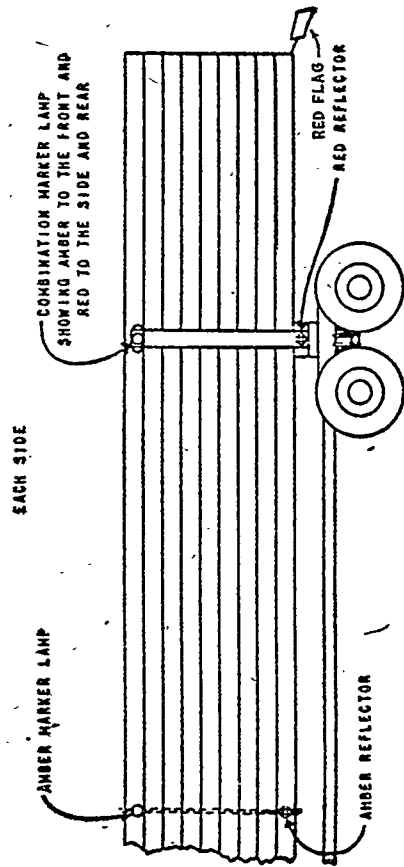
(Diagram to illustrate § 293.16.)



(Tow-bar diagram to illustrate § 293.17.)



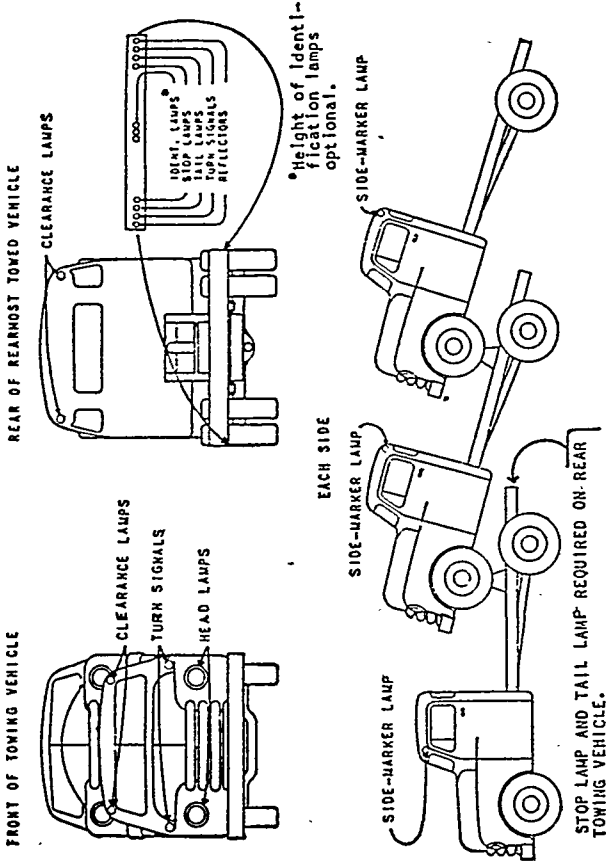
Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e) except as otherwise provided in this section. Color of reflectors shall conform to requirements of § 293.28(d).



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.28(d).

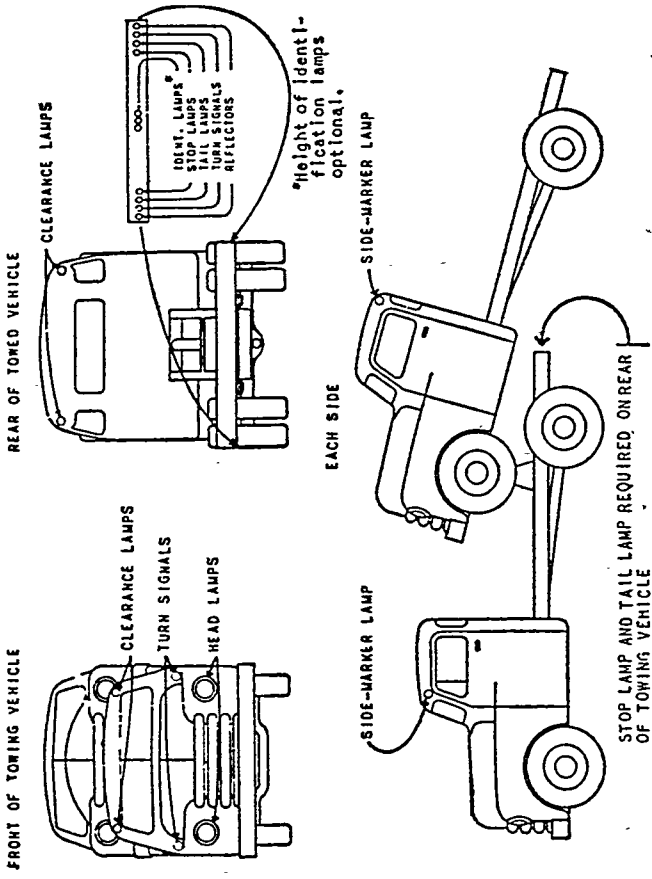
- § 293.17 Lamps and reflectors, combinations in driveway-towaway operations.
- Combinations of motor vehicles engaged in driveway-towaway operations shall be equipped as follows:
- (a) On the towing vehicle:
 - (1) On the front, at least two head lamps, an equal number at each side; two turn signals and two clearance lamps, one at each side;
 - (2) On each side and near the front, one side-marker lamp;

(Double-saddle-mount diagram to illustrate § 293.17.)



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

(Single-saddle-mount diagram to illustrate § 293.17.)



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

§ 293.13 Lamps on motor vehicles with projecting loads.

Any motor vehicle transporting a load which extends beyond the width or having projections beyond the rear of such vehicle shall be equipped with the following lamps in addition to other required lamps. (See § 293.87 for flags on such vehicles.)

(a) *Lights projecting beyond sides of motor vehicles.* (1) The foremost edge of the projecting load at its outermost extremity shall be marked with an amber lamp visible from the front and side; (2) The rearmost edge of the projecting load at its outermost extremity shall be marked with a red lamp visible from the rear and side;

(3) If any portion of the projecting load extends beyond both the foremost and rearmost edge, it shall be marked with an amber lamp visible from the front, side, and rear;

(4) If the projecting load does not measure over 3 feet from front to rear, it shall be marked with an amber lamp visible from the front, side, and rear except that if the projection is located at or near the rear, it shall be marked by a red lamp visible from the front, side, and rear.

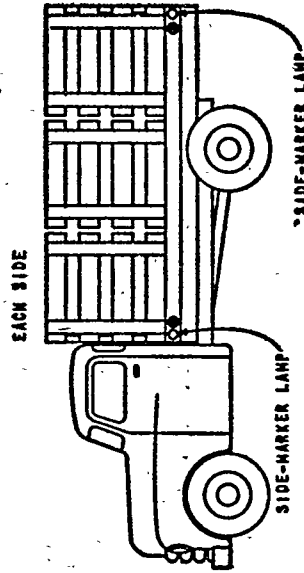
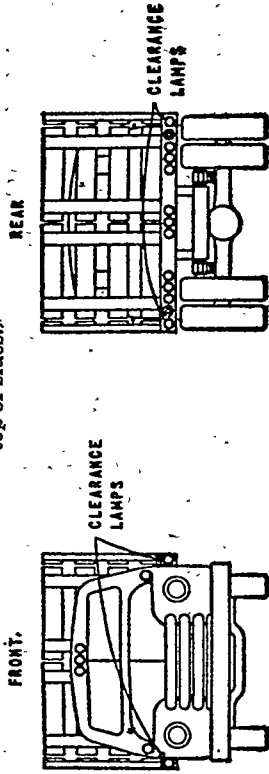
(b) *Projections beyond rear of motor vehicles.* Motor vehicles transporting loads which extend over four feet beyond the rear of the motor vehicle or which have tailboards or tailgates extending over 4 feet beyond the body shall have these projections marked:

(1) On each side of the projecting load one red lamp, visible from the side located so as to indicate maximum overhang.

(2) On the rear of the projecting load two red lamps, visible from the rear, one at each side and two red reflectors visible from the rear, one at each side, located so as to indicate maximum width.

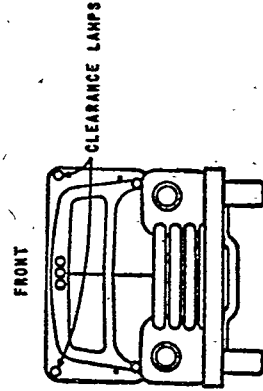
height: *And provided further*, That when mounting of front clearance lamps at the highest point of a trailer results in such lamps failing to mark the extreme width of the trailer, such lamps may be mounted at optional height but must indicate the extreme width of the trailer. Clearance lamps on truck tractors shall be so located as to indicate the extreme width of the truck tractor cab.

(Diagram to illustrate § 293.20 for mounting of lamps on vehicles without permanent top or sides.)



Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e).

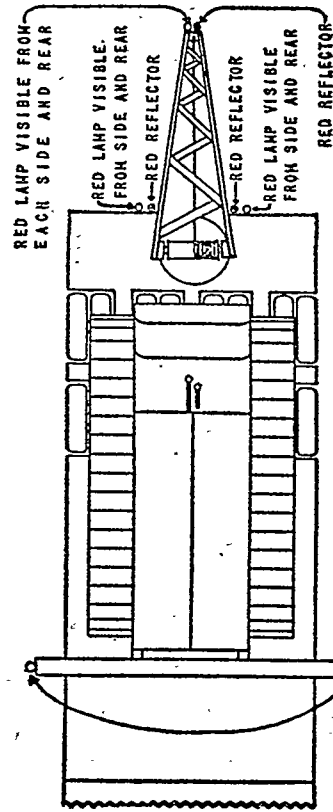
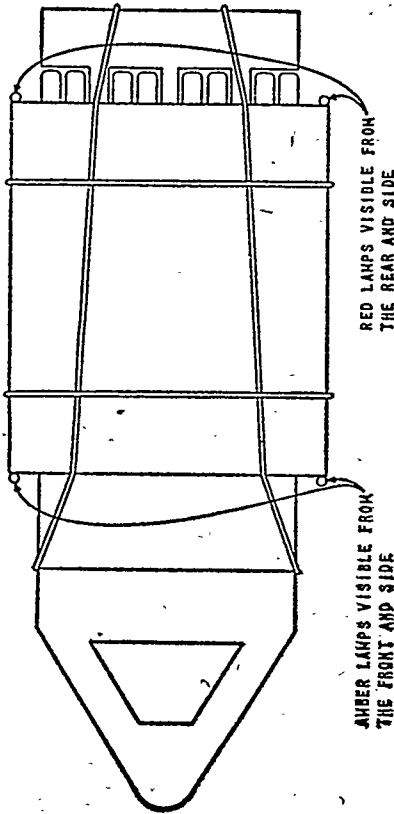
(Diagram to illustrate § 293.20 for mounting of front clearance lamps on truck tractors with sleeper cabs.)



§ 293.22 Combinations of lighting devices and reflectors.

Any two or more lighting devices and reflectors, whether required by these regulations or not, may be combined into lamp.

(Diagrams to illustrate § 293.18 for two types of projecting loads.)



AMBER LAMPS VISIBLE FROM THE FRONT, SIDE, AND REAR (LAMPS SHALL BE RED IF LOCATED AT OR NEAR THE REAR)

Lamps may be combined as permitted by § 293.22. Color of exterior lighting devices shall conform to requirements of § 293.25(e). Color of reflectors shall conform to requirements of § 293.26(d).

§ 293.19 Requirements for turn signaling systems.

Every motor vehicle shall be equipped with a signaling system that in addition to signaling turning movements as required by § 292.15 shall have a switch or combination of switches that will cause the two front turn signals and the two rear turn signals to flash simultaneously as a vehicular traffic hazard warning required by §§ 292.22(a) and 292.23. The system shall be capable of flashing

simultaneously with the ignition of the vehicle turned on or off.

§ 293.20 Clearance lamps to indicate extreme width and height.

Clearance lamps shall be mounted so as to indicate the extreme width of the motor vehicle (not including mirrors) and as near the top thereof as practicable: *Provided*, That when rear identification lamps are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional

§ 293.23 Lighting devices to be electric. Lighting devices shall be electric, except that red liquid-burning lanterns may be used on the end of loads in the nature of poles, pipes, and ladders projecting to the rear of the motor vehicle.

§ 293.24 Requirements for head lamps and auxiliary road lighting lamps.

(a) *Mounting.* Head lamps and auxiliary road lighting lamps shall be mounted so that the beams are readily adjustable, both vertically and horizontally, and the mounting shall be such that the aim is not readily disturbed by ordinary conditions of service.

(b) *Head lamps required.* Every bus, truck, and truck tractor shall be equipped with a headlighting system composed of at least two head lamps, not including fog or other auxiliary lamps, with an equal number on each side of the vehicle. The headlighting system shall provide an upper and lower distribution of light, selectable at the driver's will.

(c) *Fog, adverse-weather, and auxiliary road-lighting lamps.* For the purposes of this section, fog, adverse-weather, and auxiliary road lighting lamps, when installed, are considered to be a part of the headlighting system. Such lamps may be used in lieu of head lamps under conditions making their use advisable if there be at least one such lamp conforming to the appropriate SAE Standard¹ for such lamps on each side of the vehicle.

(d) *Aiming and intensity.* Head lamps shall be constructed and installed so as to provide adequate and reliable illumination and shall conform to the appropriate specification set forth in the SAE Standards¹ for "Electric Head Lamps for Motor Vehicles" or "Sealed-Beam Head Lamp Units for Motor Vehicles."

§ 293.25 Requirements for lamps other than head lamps.

(a) *Mounting.* All lamps shall be permanently and securely mounted in workmanlike manner on a permanent part of the motor vehicle, except that temporary lamps on motor vehicles being transported in driveway-towaway operations and temporary electric lamps on projecting loads need not be perma-

nently mounted nor mounted on a permanent part of the vehicle. The requirement for three identification lamps on the centerline of a vehicle will be met as to location by one lamp on the centerline, with the other two at right and left. All temporary lamps must be firmly attached.

(b) *Visibility.* All required exterior lamps shall be so mounted as to be capable of being seen at all distances between 500 feet and 50 feet under clear atmospheric conditions during the time lamps are required to be lighted. The light from front clearance and front identification lamps shall be visible to the front, that from sidemarker lamps to the side, that from rear clearance, rear identification, and tail lamps to the rear, and that from projecting load-marker lamps from those directions required by § 293.18. This shall not be construed to apply to lamps on one unit which are obscured by another unit of a combination of vehicles.

(c) *Specifications.* All required lamps except those already installed on vehicles tendered for transportation in driveway and towaway operations shall conform to appropriate requirements of the SAE Standards and/or Recommended Practices¹ as indicated below, except that the minimum required marking of lamps conforming to the 1959 requirements

¹ Wherever reference is made in these regulations to SAE Standards or SAE Recommended Practices, they shall be:

(a) As found in the 1952 edition of the "SAE Handbook" with respect to parts and accessories other than lighting devices and reflectors.

(b) As found in the 1952 edition of the "SAE Handbook" with respect to lighting devices and reflectors on motor vehicles made before July 1, 1961, except replacement lighting devices and reflectors as specified in §§ 293.25(c)(2) and 293.26(b)(2).

(c) As found in the 1959 edition of the "SAE Handbook" as supplemented by Pamphlet No. TR-34, published March 1959, with respect to lighting devices and reflectors on motor vehicles made on and after July 1, 1961, and with respect to replacement lighting devices and reflectors as specified in §§ 293.25(c)(2) and 293.26(b)(2).

The "SAE Handbook" and Pamphlet No. TR-34 are published by the Society of Automotive Engineers, 485 Lexington Avenue, New York, N.Y. 10017.

shall be as specified in paragraph (d) of this section. Projecting load marker lamps shall conform to the requirements for clearance, side-marker, and identification lamps. Turn signals shall conform to the requirements for class A, Type I turn signals, provided.

(1) Lamps on vehicles made before July 1, 1961, excepting replacement lamps as specified in subparagraph (2) of this paragraph, shall conform to the 1952 requirements.

(2) Lamps on vehicles made on and after July 1, 1961, and replacement lamps installed on and after December 31, 1961, shall conform to the 1959 requirements.

(3) Lamps temporarily attached to vehicles transported in driveway and towaway operations on and after December 31, 1961, shall conform to the 1959 requirements.

(d) *Certification and markings.* All lamps required to conform to the requirements of the 1959 SAE Standards¹ shall be certified by the manufacturer or supplier that they do so conform, by markings indicated below. The markings in each case shall be visible when the lamp is in place on the vehicle.

(1) Stop lamps shall be marked with the manufacturer's or supplier's name or trade name and shall be marked "SAE-S".

(2) Turn signal units shall be marked with the manufacturer's or supplier's name or trade name and shall be marked "SAE-AI" or "SAE-I".

(3) Tail lamps shall be marked with the manufacturer's or supplier's name or trade name and shall be marked "SAE-T".

(4) Clearance, side marker, identification, and projecting load-marker lamps, except combination lamps, shall be marked with the manufacturer's or supplier's name or trade name and shall be marked "SAE" or "SAE-P".

(5) Combination lamps shall be marked with the manufacturer's or supplier's name or trade name and shall be marked "SAE" followed by the appropriate letters indicating the individual lamps combined. The letter "A", as specified in § 293.26(c), may be included to certify that a reflector in the combination conforms to the requirements ap-

propriate to such marking. If the letter "I" follows the letter "A" immediately, the two letters shall be deemed to refer to a turn signal unit, as specified in subparagraph (2) of this paragraph. Combination clearance and side marker lamps may be marked "SAE-FC".

(e) *Color.* The color of exterior lighting devices not otherwise specified in these regulations shall be as follows:

(1) All front clearance and identification lamps, and all sidemarker lamps except those at or near the rear shall when lighted display an amber color.

(2) No lighted red lamp of any character shall be displayed at any place other than on the rear or on the sides near the rear, except that this prohibition shall not apply to any school bus when operating as such, to lamps on projecting loads as specified in § 293.18, or to rear-facing lenses of turn signals;

(3) All rear clearance and identification lamps, the sidemarker lamps at or near the rear, and any other lamps mounted on the rear or on the sides near the rear shall when lighted display a red color except as specified by §§ 293.16 and 293.18, and as permitted by paragraphs (4), (5), and (6) of this section;

(4) The stop lamp or lamps, and the turn signals on or facing the rear of any motor vehicle shall be red, yellow, amber, or any shade of color between red and yellow; and the turn signals facing the front of any motor vehicle shall be white, amber, or any shade of color between white and amber;

(5) Back-up lamp or lamps showing white to amber to the rear may be mounted on the rear of any vehicle if such lamp or lamps can be lighted only when the vehicle is in reverse gear or when a pilot lamp readily visible to the driver is burning to indicate that such back-up lamp or lamps are lighted;

(6) White lamps may be used for the purpose of illuminating license plates on any vehicle or destination signs on buses;

(7) This section shall not be so construed as to prohibit the use of motor vehicles in combination if such motor vehicles are separately lighted as required by §§ 293.11 to 293.17 inclusive;

(8) Whenever reference is made in these regulations to the colors red, amber, or white, said colors shall be as pre-

scribed in the SAE Standard: "Color Specification for Electric Lamps".

(f) *Lighting devices to be steady-burning.* All exterior lighting devices shall be of the steady-burning type except turn signals on any vehicle, stop lamps when used as turn signals, warning lamps on school buses when operating as such, and warning lamps on emergency and service vehicles authorized by State or local authorities, and except that lamps combined into the same shell or housing with any turn signal may be turned off by the same switch that turns the signal on for flashing and turned on again when the turn signal as such is turned off. This paragraph shall not be construed to prohibit the use of turn signals to give vehicular traffic hazard warning signals as required by §§ 292.22 and 292.23.

(g) *Stop lamp operation.* All stop lamps on each motor vehicle or combination of motor vehicles shall be actuated upon application of any of the service brakes, except that such actuation is not required upon activation of the emergency feature of trailer brakes by means of either manual or automatic control on the towing vehicle, and except that stop lamps on a towing vehicle need not be actuated when service brakes are applied to the towed vehicles or vehicles only, and except that no stop lamp need be actuated as such when it is in use as a turn signal or when it is turned off by the turn signal switch as provided in paragraph (f) of this section.

§ 293.26 Requirements for reflectors.

(a) *Mounting.* All required reflectors shall be mounted upon the motor vehicle at a height not less than 24 inches nor more than 60 inches above the ground on which the motor vehicle stands, except that reflectors shall be mounted as high as practicable on motor vehicles which are so constructed as to make compliance with the 24-inch requirement impractical. They shall be so installed as to perform their function adequately and reliably, and except for temporary reflectors required for vehicles in drive-away-towaway operations, or on projecting loads, all reflectors shall be perma-

nently and securely mounted in workmanlike manner so as to provide the maximum of stability and the minimum likelihood of damage. Required reflectors otherwise properly mounted may be securely installed on flexible strapping or belting provided that under conditions of normal operation they reflect light in the required directions. Required temporary reflectors mounted on motor vehicles during the time they are in transit in any driveaway-towaway operation must be firmly attached.

(b) *Specifications.* All required reflectors except those already installed on vehicles tendered for transportation in driveaway and towaway operations shall conform to the requirements for Class A reflectors in the SAE Recommended Practice or SAE Standard: "Reflex Reflectors", as indicated below, except that the minimum required marking of reflectors conforming to the 1959 requirements shall be as specified in paragraph (c) of this section.

(1) Reflectors on vehicles made before July 1, 1961, excepting replacement reflectors as specified in subparagraph (2) of this paragraph, shall conform to the 1952 requirements.

(2) Reflectors on vehicles made on and after July 1, 1961, and replacement reflectors installed on and after December 31, 1961, shall conform to the 1959 requirements.

(3) Reflectors temporarily attached to vehicles transported in driveaway and towaway operations on and after December 31, 1961, shall conform to the 1959 requirements.

(c) *Certification and markings.* All reflectors required to conform to the requirements of the 1959 SAE Standard¹ shall be certified by the manufacturer or supplier that they do so conform, by marking with the manufacturer's or supplier's name or trade name and the letters "SAE-A". The marking in each case shall be visible when the reflector is in place on the vehicle.

(d) *Color.* All reflectors on the rear and those nearest to the rear on the sides, except those referred to in paragraph (e) of this section, shall reflect a red color; all other reflectors, except

¹ See footnote 1 to § 293.24(c).

those referred to in paragraph (e) of this section, shall reflect an amber color, provided that this requirement shall not be construed to prohibit the use of motor vehicles in combination if such motor reflectors are separately equipped with 293.17, inclusive. Whenever reference is made to the colors red or amber for reflectors, such colors shall correspond to the requirements in the SAE Standard: "Color Specification for Electric Lamps".

(e) *Retroreflective surfaces.* Retroreflective surfaces other than required reflectors may be used, provided:

(1) Designs do not resemble traffic control signs, lights, or devices, except that straight edge striping resembling a barricade pattern may be used.

(2) Designs do not tend to distort the length and/or width of the motor vehicle.

(3) Such surfaces shall be at least 3 inches from any required lamp or reflector unless of the same color as such lamp or reflector.

(4) No red color shall be used on the front of any motor vehicle, except for display of markings or placards required by § 177.823 of this chapter.

(5) Retroreflective license plates required by State or local authorities may be used.

§ 293.27 Wiring specifications.

Wiring for both low tension and high tension circuits shall be constructed and installed so as to function reliably and adequately and shall conform to the appropriate requirements in the SAE Standard¹ for "Insulated Cable" or by wiring which is mechanically and electrically at least equal to such cable. Required lamps shall be connected to the source of power with stranded wire. The source of power and the electrical wiring shall be of such size and characteristics that required lamps shall when lighted be capable of being seen at least 500 feet under clear atmospheric conditions during the time lamps are required to be lighted. This shall not be so construed as to prohibit the use of the frame or other metal parts of a motor vehicle as a return ground system provided that for truck-tractor-semitrailer combinations,

¹ See footnote 1 to § 293.24(c).

the truck-tractor is electrically bonded to the semitrailer.

§ 293.28 Wiring to be protected.

Wiring shall, when possible, be grouped together and protected by nonmetallic tape, braid, or other covering capable of withstanding severe abrasion or shall be protected by being enclosed in a metallic sheath or tube. Wiring shall be properly supported. Wiring shall not be so located as to be likely to be charred, overheated, or emmeshed in moving parts. Insofar as is practicable, wiring shall not be adjacent to any part of the fuel system. The edges of all holes in metal through which the wiring passes, unless the wiring is metal-covered, shall be rolled or bushed with a grommet of rubber or other suitable material.

§ 293.29 Grounds.

The battery ground and trailer return ground connections on a grounded system shall be readily accessible. The contact surfaces of electrical connections shall be clean and free of oxide, paint, or other nonconductive coating.

§ 293.30 Battery installation.

Every storage battery on every vehicle, unless located in the engine compartment, shall be covered by a fixed part of the motor vehicle or protected by a removable cover or enclosure. Removable covers or enclosures shall be substantial and shall be securely latched or fastened. The storage battery compartment and adjacent metal parts which might corrode by reason of battery leakage shall be painted or coated with an acid-resisting paint or coating and shall have openings to provide ample battery ventilation and drainage. Wherever the cable to the starting motor passes through a metal compartment, the cable shall be protected against grounding by an acid and waterproof insulating pushing. Wherever a battery and a fuel tank are both placed under the driver's seat, they shall be partitioned from each other, and each compartment shall be provided with an independent cover, ventilation, and drainage.

§ 293.31 Overload protective devices.

The current to all low tension circuits shall pass through overload protective

combination of vehicles is capable of complying with the performance requirements of § 293.52; only such brakes on the vehicle or vehicles being towed in driveaway-towaway operations need be operative as may be necessary to insure compliance with the performance requirements of § 293.52. This paragraph is not applicable to any motor vehicle towed by means of a tow-bar when any vehicle is full-mounted on such motor vehicle or any combination of motor vehicles utilizing three saddle-mounts.

(c) Trucks and truck tractors having three or more axles need not have brakes on the front wheels, except when such vehicles are equipped with at least two steerable axles the wheels of one such axle need not be equipped with brakes.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)

to make immediate further application with the required effectiveness.

§ 293.42 Brakes required on all wheels.

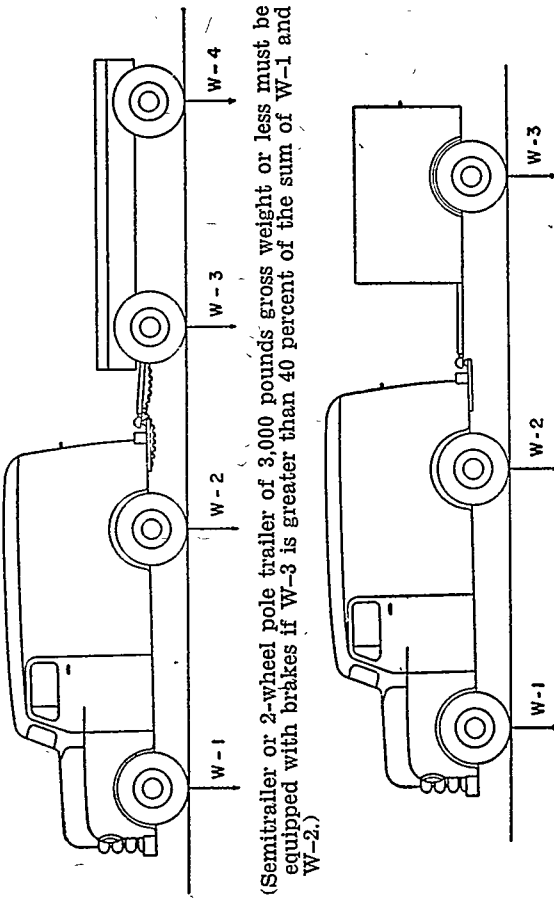
Every motor vehicle shall be equipped with brakes acting on all wheels, except:

(a) Any full trailer, semitrailer, or pole trailer of a gross weight not exceeding 3,000 pounds: *Provided*, That the gross weight of any such full trailer or pole trailer, no part of the load of which rests upon the towing vehicle, shall not exceed 40 percent of the gross weight of the towing vehicle and that the gross weight of any such semitrailer or pole trailer part of the load of which rests upon the towing vehicle, shall not exceed 40 percent of the gross weight of the towing vehicle when connected to such semitrailer or pole trailer;

(b) Any vehicle being towed in a driveaway-towaway operation, provided the

(Diagrams to illustrate § 293.42 for brake requirements for light trailers.)

(Full trailer or 4-wheel pole trailer of 3,000 pounds gross weight or less must be equipped with brakes if the sum of W-3 and W-4 is greater than 40 percent of the sum of W-1 and W-2.)



(Semitrailer or 2-wheel pole trailer of 3,000 pounds gross weight or less must be equipped with brakes if W-3 is greater than 40 percent of the sum of W-1 and W-2.)

§ 293.43 Breakaway and emergency braking.

(a) Every motor vehicle, if used to tow a trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of such trailer the service brakes on the towing vehicle will be sufficiently operative to stop the towing vehicle.

equal to such terminals. The number of wires attached to any post shall be limited to the number which such post was designed to accommodate. The presence of bare, loose, dangling, chafing, or poorly connected wires is prohibited.

Subpart C—Brakes

§ 293.40 Adequacy of brakes.

Every bus, truck, truck tractor, and combination of motor vehicles, except as provided in § 293.42, shall be equipped with brakes adequate to control the movement of, and to stop and to hold, such vehicle or combination of vehicles. Two separate means of brake application shall be provided. One such means shall be a parking brake which will conform to the requirements of § 293.41. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without operative brakes.

§ 293.41 Parking brakes.

(a) Every singly driven motor vehicle and every combination of motor vehicles shall at all times be equipped with a parking brake or brakes adequate to hold the vehicle or combination on any grade on which it is operated, under any condition of loading, on a surface free from ice or snow.

(b) The parking brake or brakes shall at all times be capable of being applied in conformance with the requirements of paragraph (a) by either the driver's muscular effort or by spring action or by other energy, provided that if such other energy is depended on for application of the parking brake, then an accumulation of such energy shall be isolated from any common source and used exclusively for the operation of the parking brake.

(c) The parking brake or brakes, shall be so designed, constructed, and maintained that when once applied they shall remain in the applied condition with the required effectiveness despite exhaustion of any source of energy or leakage of any kind, and so that they cannot be released unless adequate energy is available upon release of such brake or brakes

devices except that this requirement shall not be applicable to battery-to-starting motor or battery-to-generator circuits, ignition and engine control circuits, horn circuits, electrically-operated fuel pump circuits, or electric brake circuits. Protective devices for electric circuits on every motor vehicle the date of manufacture of which is subsequent to June 30, 1953, except buses having a seating capacity of eight or less persons or motor vehicles being transported in driveaway-towaway operations, shall be arranged so that either the head lamp circuit or circuits shall not be affected by a short circuit in any of the other lighting circuits on the motor vehicle, or if the head lamp circuit is protected in common with other electrical circuits, the protection device shall be an automatic reset overload circuit breaker.

§ 293.32 Detachable electrical connections.

Electrical wiring between towing and towed vehicles shall be contained in a cable or cables or entirely within another substantially constructed protective device. All such electrical wiring shall be mechanically and electrically adequate and free of short or open circuits. Suitable provision shall be made in every such detachable connection to afford reasonable assurance against connection in an incorrect manner or accidental disconnection. Detachable connections made by twisting together wires from the towed and towing units are prohibited. Precaution shall be taken to provide sufficient slack in the connecting wire or cable to accommodate without damage all normal motions of the parts to which they are attached.

§ 293.33 Wiring, installation.

Electrical wiring shall be systematically arranged and installed in a workmanlike manner. All detachable wiring, except temporary wiring connections for driveaway-towaway operations, shall be attached to posts or terminals by means of suitable cable terminals which conform to the SAE Standard¹ for "Cable Terminals" or by cable terminals which are mechanically and electrically at least

¹ See footnote 1 to § 293.24(c).

service brake application with the engine stopped without depleting the air pressure or vacuum below 70 percent of that pressure or degree of vacuum indicated by the gauge immediately before the brake application is made. For purposes of this section, a full service brake application is considered to be made when the service brake pedal is pushed to the limit of its travel.

(b) *Safeguarding of air and vacuum.*

(1) Every bus, truck, and tractor, when equipped with air or vacuum reservoirs and regardless of date of manufacture, shall have such reservoirs so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum the air or vacuum supply in the reservoir shall not be depleted by the leak or failure.

(2) Means shall be provided to establish the check valve to be in working order. On and after May 1, 1966, means other than loosening or disconnection of any connection between the source of compressed air or vacuum and the check valve, and necessary tools for operation of such means, shall be provided to prove that the check valve is in working order. The means shall be readily accessible either from the front, side, or rear of the vehicle, or from the driver's compartment.

(i) In air brake systems with one reservoir, the means shall be a cock, valve, plug, or equivalent device arranged to vent a cavity having free communication with the connection between the check valve and the source of compressed air or vacuum.

(ii) Where air is delivered by a compressor into one tank or compartment (wet tank), and air for braking is taken directly from another tank or compartment (dry tank) only, with the required check valve between the tanks or compartments, a manually operated drain cock on the first (wet) tank or compartment will serve as a means herein required if it conforms to the requirements herein.

(iii) In vacuum systems stopping the engine will serve as the required means, the system remaining evacuated as indicated by the vacuum gauge.

(d) Have the vacuum brake engine manifold connection at least three-eighths inch in diameter.

§ 293.47 Brake lining.

The brake lining on every motor vehicle shall be so constructed and installed as not to be subject to excessive fading and grabbing and shall be adequate in thickness, means of attachment, and physical characteristics to provide for safe and reliable stopping of the motor vehicle.

§ 293.48 Brakes to be operative.

All brakes with which motor vehicles are equipped shall be operative at all times except as provided in § 293.42(b) and except brakes on disabled vehicles being towed; but means may be used for reducing the braking effort on the front wheels of any bus, truck, or tractor or of removing the braking effort on the front wheels of any three-axle truck or truck tractor provided that the means for reducing or removing the braking effort shall be used only when operating under adverse road conditions such as wet, snowy, or icy roads.

§ 293.49 Single valve to operate all brakes.

Every motor vehicle, the date of manufacture of which is subsequent to June 30, 1953, which is equipped with power brakes, shall have the braking system so arranged that one application valve shall when applied operate all the service brakes on the motor vehicle or combination of motor vehicles. This requirement shall not be construed to prohibit motor vehicles from being equipped with an additional valve to be used to operate the brakes on a trailer or trailers or as provided in § 293.44. This section shall not be applicable to driveaway-towaway operations unless the brakes on such operations are designed to be operated by a single valve.

§ 293.50 Reservoirs required.

(a) *General.* As provided in paragraph (c) of this section, every bus, truck, and truck tractor made after June 30, 1953, and using air or vacuum for braking, shall be equipped with reserve capacity or a reservoir sufficient to insure a full

(f) The requirements of paragraphs (b), (c), and (d) of this section shall not be applicable to motor vehicles in driveaway-towaway operations.

§ 293.44 Front brake lines, protection.

On every bus, made after June 30, 1954, if equipped with air brakes, except buses being transported in driveaway-towaway operations, the braking system shall be so constructed that in the event any connection to the brake system forward of the driver's seat or any brake line to any of the front wheels is broken, the driver can apply the brakes on the rear wheels despite such breakage. The means used to apply the brakes on the rear wheels shall be adjacent to but neither forward nor to the left of the driver's seat.

§ 293.45 Brake tubing and hose, adequacy.

Brake tubing and brake hose shall be: (a) Designed and constructed of proper material and so installed as to insure proper continued functioning; (b) Sufficiently long and flexible as to accommodate without damage all normal motions of the parts to which they are attached;

(c) Suitably secured against chafing, kinking, or other mechanical injury; and (d) Brake hose shall be so constructed as to insure adequate and reliable functioning and shall conform to the appropriate specification set forth in the SAE Standards for "Hydraulic Brake Hose," "Air-Brake Hose," or "Vacuum Brake Hose."

§ 293.46 Brake tubing and hose connections.

All connections for air, vacuum, or hydraulic braking systems shall:

(a) Be adequate in material and construction to insure proper continued functioning;

(b) Be designed, constructed, and installed so as to insure, when properly connected, an attachment free of leaks, constrictions, or other defects;

(c) Have suitable provision in every detachable connection to afford reasonable assurance against accidental disconnection;

¹ See footnote 1 to § 293.24(c).

(b) Every truck or truck tractor equipped with air brakes, when used for towing other vehicles equipped with air brakes, shall be equipped with two means of activating the emergency features of the trailer brakes. One of these means shall operate automatically in the event of reduction of the towing vehicle air supply to a fixed pressure which shall not be lower than 20 pounds per square inch nor higher than 45 pounds per square inch. The other means shall be a manually controlled device readily operable by a person seated in the driving seat. Its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and manual means required by this section may be, but are not required to be, separate.

(c) Every truck tractor and truck equipped for towing other vehicles in addition to the single control required by § 293.49 to operate all brakes of the combination, a second manual control device which can be used to operate the brakes on the towed vehicles in emergencies. Such second control shall be independent of brake air, hydraulic, and other pressure, and independent of other controls, unless the braking system be so arranged that failure of the pressure on which the second control depends will cause the towed vehicle brakes to be applied automatically. The second control is not required by this rule to provide modulated or graduated braking.

(d) Every trailer required to be equipped with brakes shall be equipped with brakes of such character as to be applied automatically and promptly upon breakaway from the towing vehicle, and means shall be provided to maintain application of the brakes on the trailer in such case for at least 15 minutes.

(e) Air brake systems installed on towed vehicles shall be so designed, by the use of "no-bleed-back" relay emergency valves or equivalent devices, that the supply reservoir used to provide air for brakes shall be safeguarded against backflow of air to the towing vehicle upon reduction of the towing vehicle air pressure.

(c) *Application.* This section applies to passenger-carrying vehicles each having a seating capacity of nine or more persons, driver included, and to all property-carrying vehicles and combinations of property-carrying vehicles having three or more axles.

§ 293.51 Warning devices and gauges.

(a) *Air brakes as provided in paragraph (d) of this section.* Every bus, truck, and truck tractor using compressed air for the operation of its own brakes or the brakes on any towed vehicle shall be equipped with a warning signal readily audible or visible to the driver, which will give continuous warning at all pressures below a fixed pressure not less than one-half of the compressor governor cut-out pressure. In addition, each such vehicle shall be equipped with a pressure gauge which will indicate to the driver the pressure in pounds per square inch available for braking.

(b) *Vacuum brakes as provided in paragraph (d) of this section.* Every bus, truck, and truck tractor using vacuum for the operation of its own brakes or the brakes on any towed vehicle shall be equipped with a warning signal readily audible or visible to the driver, which will give continuous warning at any time the vacuum in the vehicle's supply reservoir is less than 8 inches of mercury. In addition, each such vehicle shall be equipped with a vacuum gauge which will indicate to the driver the vacuum in inches of mercury available for braking.

(c) *Maintenance.* The warning devices and gauges required by this section shall be maintained in operative condition.

(d) *Application.* This section applies to passenger-carrying vehicles each having a seating capacity of nine or more persons, driver included, and to all property-carrying vehicles and combinations of property-carrying vehicles having three or more axles.

§ 293.52 Brake performance.

(a) Every motor vehicle and combination of vehicles, at all times and under all conditions of loading, upon application of the service brake, shall be capable of:

example, 17 divided by 32.2 gives 53.8 percent.) Column 2 is included in the tabulation because certain brake-testing devices utilize this factor.

(b) The decelerations as in column 3 are an indication of the effectiveness of the basic brakes, and as measured in practical brake testing are the maximum braking decelerations attained at some time during the stop. This deceleration as measured in brake tests cannot be used to compute the values in column 4 because it is not sustained at the same rate over the entire period of the stop. The deceleration increases from zero to a maximum during a period of brake-system application and brake-force built-up. Also, other factors may cause the deceleration to decrease after reaching a maximum. The minimum deceleration is not sustained as indicated in the figures in column 4 but is not indicated by the usual brake-testing devices for checking deceleration.

(c) The distances in column 4 and the deceleration in column 3 are not directly related. "Brake-system application and braking distance in feet" (column 4) is a definite measure of the overall effectiveness of the braking system, being the distance traveled between the point at which the driver starts to move the braking controls and the point at which the vehicle comes to rest. It includes distance traveled while the brakes are being applied and the distance traveled while the brakes are retarding the vehicle.

(d) The distance traveled during the period of brake-system application and brake-force built-up varies with vehicle type, being negligible for many passenger cars and greatest for combinations of commercial vehicles. This fact accounts for the variation from 25 to 50 feet in the numerical values in column 4 for the various classes of vehicles.

(e) The deceleration requirement in column 3 is the same for all classifications of vehicles except for passenger vehicles, not including buses, because brakes on vehicles in the second through the seventh classifications are all capable with reasonable maintenance of producing the designated deceleration as measured by brake-testing devices. A higher deceleration requirement is warranted for passenger vehicles in view of Bureau of Public Roads test data.

(1) Developing a braking force that is not less than the percentage of its gross weight tabulated in paragraph (b) of this section for its classification.

(2) Decelerating to a stop from not more than 20 miles per hour at not less than the feet per second per second tabulated in paragraph (b) of this section for its classification, and

(3) Stopping from a speed of 20 miles per hour in not more than the distance tabulated in paragraph (b) of this section for its classification, such distance to be measured from the point at which movement of the service brake pedal or control begins.

Tests for deceleration and stopping distance shall be made on a substantially level, dry, smooth, hard surface that is free from loose material.

(b) Classification of vehicles:

Classification	Braking force as a percentage of gross vehicle weight or combination weight Percent	Deceleration in feet per second	Brake system application and braking distance in feet from an initial speed of 20 m.p.h.
(1) Passenger vehicles with a seating capacity of 10 people or less including driver, not having a weight rating of more than 10,000 lbs.	42.8	17	25
(2) Single-unit vehicles with a seating capacity of 10,000 pounds or less, including a manufacturer's gross weight rating of more than 10,000 lbs.	43.5	14	30
(3) Single-unit vehicles with a weight rating of more than 10,000 lbs.	43.5	14	40
(4) Combinations of a motor vehicle and a trailer with a gross trailer weight of 3,000 pounds or less.	43.5	14	40
(5) Buses, regardless of the number of axles, not having a manufacturer's gross weight rating.	43.5	14	40
(6) All combinations of vehicles in driveway or towaway operations.	43.5	14	40
(7) All other vehicles and combinations of vehicles.	43.5	14	50

Note: (a) There is a definite mathematical relationship between the figures in columns 2 and 3. If the decelerations set forth in column 3 are divided by 32.2 feet per second, the column 2 figures will be obtained. (For

in armored car service, such glazing shall conform to the requirements contained in the "American Standard Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways, Z26.1A-1964" of the American Standards Association, Inc., 10 East 40th Street, New York, N.Y. 10016; *Provided, however*, that glazing conforming to ASA Code Z26.1-1950 is acceptable for vehicles manufactured prior to January 1, 1966.

(b) *Windshield condition.* Every motor vehicle windshield shall be free of discoloration or other damage in that portion thereof extending upward from the height of the topmost portion of the steering wheel, but not including a 2 inch border at the top and a 1 inch border at each side of the windshield or each panel thereof, except that discoloration and damage as follows are allowable: (1) Coloring or tinting applied in manufacture, for reduction of glare; (2) any crack not over 1/4-inch wide, if not intersected by any other crack; (3) any damaged area which can be covered by a disc 3/4-inch in diameter, if not closer than 3 inches to any other such damaged area.

(c) *Use of vision-reducing matter.* No motor vehicle may be operated with any label, sticker, decalcomania, or other vision-reducing matter covering any portion of its windshield or windows at either side of the driver's compartment, except that stickers required by law may be affixed at the bottom of the windshield, provided no portion of any label, sticker, decalcomania, or other vision-reducing matter may extend upward more than 4 1/2 inches from the bottom of such windshield.

§ 293.61 Window construction.

(a) *Windows in trucks and truck tractors.* Every truck and truck tractor, except vehicles engaged in armored car service, shall have, in addition to the area provided by the windshield, at least one window on each side of the driver's compartment, which window shall have sufficient area to contain either an ellipse having a major axis of 18 inches and a minor axis of 13 inches or an opening containing 200 square inches formed by a rectangle 13 inches by 17 1/4 inches with corner arcs of 6-inch maximum radius.

Subpart D—Glazing and Window Construction

§ 293.60 Glazing in specified openings.

(a) *Kind of glass.* Whenever glazing is used in the windshield, window, door, or any other opening into a bus, truck, or truck tractor, except vehicles engaged

(1) Passenger vehicles with a seating capacity of 10 people or less including driver, not having a weight rating of more than 10,000 lbs.

(2) Single-unit vehicles with a seating capacity of 10,000 pounds or less, including a manufacturer's gross weight rating of more than 10,000 lbs.

(3) Single-unit vehicles with a weight rating of more than 10,000 lbs.

(4) Combinations of a motor vehicle and a trailer with a gross trailer weight of 3,000 pounds or less.

(5) Buses, regardless of the number of axles, not having a manufacturer's gross weight rating.

(6) All combinations of vehicles in driveway or towaway operations.

(7) All other vehicles and combinations of vehicles.

(a) *Windows in trucks and truck tractors.* Every truck and truck tractor, except vehicles engaged in armored car service, shall have, in addition to the area provided by the windshield, at least one window on each side of the driver's compartment, which window shall have sufficient area to contain either an ellipse having a major axis of 18 inches and a minor axis of 13 inches or an opening containing 200 square inches formed by a rectangle 13 inches by 17 1/4 inches with corner arcs of 6-inch maximum radius.

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mounted gasoline tanks on every motor vehicle, the date of manufacture of which is subsequent to November 30, 1953, shall comply with the requirements of paragraphs (f) to (k) inclusive, of this section.

(3) Replacement gasoline tanks, of the other than side-mounted type, the date of manufacture of which is subsequent to November 30, 1953, unless constructed in conformity with the original tank on the motor vehicle, shall comply with the requirements of paragraphs (f) and (i) of this section. Other than side-mounted gasoline tanks on every truck or tractor, the date of manufacture of which is subsequent to November 30, 1953, shall comply with the requirements of paragraphs (f) and (i) of this section.

(1) *Liquid fuel tank construction*—
(a) *Material*. Material used in the construction of the tank and its fittings shall be suitable for the purpose intended.

(2) *Joints*. Joints of the tank body shall be closed only by arc, gas, seam, or spot welding, brazing, or silver soldering.

(3) *Fittings*. The tank shall be provided with suitable flanges or spuds for the assembly of all fittings.

(4) *Threads*. Threads on all fittings shall be American (National) Standard Taper Pipe Thread or SAE Standard Short Dryseal Taper Pipe Thread except that straight (nontapered) threads may be used on fittings having integral flanges and using gaskets for sealing. There shall not be less than four full threads in engagement in any fitting.

(5) *Drains and bottom fittings*. Drains and other bottom fittings shall not extend more than three-quarter inch below the lowest part of the tank and shall be designed or guarded to minimize their being torn loose. All drain fittings shall be so designed and located as to permit complete drainage. The drain shall be located in a suitable flange or spud.

(6) *Fuel discharge line*. The fitting through which the fuel is drawn from the tank shall be located above the normal full line of the tank.

(7) *Excess flow valve*. When pressure devices are used to force fuel from the tank, means shall be provided to prevent

¹ See footnote 1 to § 293.24(c).

rated, except that this requirement shall not apply to trucks manufactured prior to September 30, 1953, which have a total fuel capacity of less than 20 gallons, nor shall fuel be supplied to the engine of a bus, truck, or truck tractor from a fuel tank or container located on a semitrailer or full trailer.

(b) *Fuel container on bus*. No part of any fuel tank or container or intake pipe shall be located within or above the passenger-carrying portion of any bus unless securely sealed off from such compartment by means of a substantial metal cover. Except for buses having a seating capacity of eight or less persons and except those being transported in driveway-towaway operations, the fuel containers, including intake pipes, caps, and vents on every bus, the date of manufacture of which is subsequent to September 30, 1953, shall be so designed that, in the event of overturn, the fuel will not be spilled at a rate in excess of 1 ounce per minute.

(c) *Gravity or siphon feed prohibited*. No fuel system on a motor vehicle shall be so constructed as to permit gravity or siphon feed direct to the carburetor or injector.

(d) *Selector valves*. If a motor vehicle is equipped with a selector control valve for fuel feed from two or more tanks, such valve shall be installed so that either (1) it is in normal reach of the driver so that he can readily operate it without taking his eyes from the road or moving from his customary driving position, or (2) the driver must stop the vehicle and leave his seat in order to operate the valve.

(e) *Liquid fuel tank requirements*.
(1) Every liquid fuel tank or container used for fuel for use on any motor vehicle shall be of substantial construction, free of leaks, securely attached to the motor vehicle, and shall have its filling opening provided with a plug or cap with means for securing it in place, such as by the use of properly fitted screw threads or bayonet type joint, and without leaks except as elsewhere provided in these regulations with regard to tank vents.

(2) Replacement side-mounted gasoline tanks, the date of manufacture of which is subsequent to November 30, 1953, on every motor vehicle, and side-

required free opening when subjected to the drop test specified in Test 25 of the American Standard Safety Code referred to in § 293.60. The height of drop required to open such push-out windows shall not exceed the height of drop required to break the glass in the same window when glazed with the type of laminated glass specified in Test 25 of the Code. The sash for such windows shall be constructed of such material and be of such design and construction as to be continuously capable of complying with the above requirement. Such windows shall not be secured by latches, locks, or similar fastening devices, if such devices, when fastened, will require a greater effort to push out the window than is above required.

§ 293.62 Window obstructions.

Windows, if otherwise capable of complying with § 293.61 (a) and (b), shall not be obstructed by bars or other such means located either inside or outside such windows such as would hinder the escape of occupants unless such bars or other such means are so constructed as to provide a clear opening, at least equal to the opening provided by the window to which it is adjacent, when subjected to the same test specified in § 293.61 (c). The point of application of such test force shall be such as will be most likely to result in the removal of the obstruction.

§ 293.63 Windows, markings.

Each push-out window and any other escape window glazed with laminated safety glass in every bus, except buses having a seating capacity of eight or less persons, shall be identified as such by clearly legible and visible signs, lettering or decalcomania. Such marking shall include appropriate wording to indicate that it is an escape window and also the method to be used for obtaining emergency exit.

§ 293.65 Fuel systems.

(a) *Fuel container location*. No part of any fuel tank or container or intake pipe shall project beyond the overall width of any motor vehicle upon which it is mounted. No part of any fuel tank shall be located forward of the front axle of the power unit upon which it is lo-

The major axis of the ellipse and the long axis of the rectangle shall not make an angle of more than 45 degrees with the surface on which the unlaminated glass stands; however, if the cab is designed with a folding door or doors or with clear openings where doors or windows are customarily located, then no windows shall be required in such locations.

(b) *Bus windows*. On and after December 31, 1952, every bus, except buses having a seating capacity of eight or less persons shall have, in addition to the area provided by the windshield, adequate means of escape for passengers through windows. The adequacy of such means shall be determined in accordance with the following standards: For each seated passenger space provided, inclusive of the driver, there shall be at least 67 square inches of glazing if such glazing is not contained in a push-out window; or at least 67 square inches of free opening resulting from opening of a push-out type window. No area shall be included in this minimum prescribed area unless it will provide an unobstructed opening sufficient to contain an ellipse having a major axis of 18 inches and a minor axis of 13 inches or an opening containing 200 square inches formed by a rectangle 13 inches by 17 3/4 inches with corner arcs of 6-inch maximum radius. The major axis of the ellipse and the long axis of the rectangle shall make an angle of not more than 45 degrees with the surface on which the unlaminated glass stands. The area shall be measured either by removal of the glazing if not of the push-out type or of the movable sash if of the push-out type, and it shall be either glazed with laminated safety glass or comply with paragraph (c) of this section. No less than 40 percent of such prescribed glazing or opening shall be on one side of any bus.

(c) *Push-out window requirements*. Every glazed opening in a bus, except buses having a seating capacity of eight or less persons, used to satisfy the requirements of paragraph (b) of this section, if not glazed with laminated safety glass, shall have a frame or sash so designed, constructed, and maintained that it will yield outwardly to provide the

any truck tractor or dolly shall be securely affixed to the frame thereof by U-bolts of adequate size, securely tightened, or by other means providing at least equivalent security. Such U-bolts shall not be of welded construction. The installation shall be such as not to cause cracking, warping, or deformation of the frame. Adequate means shall be provided positively to prevent the shifting of the lower half of a fifth wheel on the frame to which it is attached.

(b) *Fifth wheel parts, securing.* The upper half of every fifth wheel shall be fastened to the motor vehicle with at least the security required for the securing of the lower half to a truck tractor or dolly.

(c) *Fifth wheel, locking.* Locking means shall be provided in every fifth wheel mechanism, including adapters when used, so that the upper and lower halves may not be separated without the operation of a positive manual release. A release mechanism operated by the driver from the cab shall be deemed to meet this requirement. On fifth wheels designed and constructed as to be readily separable, the fifth wheel locking devices shall apply automatically on coupling for any motor vehicle the date of manufacture of which is subsequent to December 31, 1952.

(d) *Tow-bar.* Every full trailer shall be equipped with a tow-bar and means of attaching the tow-bar to the towing and towed units which shall be structurally adequate for any weight drawn, properly and securely mounted, without excessive slack but with sufficient play to allow for universal action of the connection, and provided with a suitable locking means to prevent accidental separation of the towed and towing motor vehicles. The mounting of the trailer hitch (pintle-eye or equivalent mechanism) on the towing motor vehicle shall include sufficient reinforcement or bracing of the frame to provide sufficient strength and rigidity and to prevent undue distortion of the frame.

(e) *Tracking.* Coupling devices shall be so designed, constructed, and installed, and the vehicles in the combination shall be so designed and constructed as to insure that any motor vehicle or motor vehicles being towed on level, smooth, paved surface will follow in the path of the towing vehicle without shift-

through an angle of 150° from its normal position, with outlet pipe plugged, shall not spill or leak fuel at a rate greater than 1 ounce per minute. The fill-pipe, cap, fuel gauge outlet, air intake vent, safety vent, and any other openings shall withstand this test.

(k) *Liquid fuel tank certification.* Every side-mounted gasoline fuel tank designed and constructed to comply with these requirements shall be plainly and permanently marked with the date of manufacture and a certification of the manufacturer that it complies with such requirements. The certification shall contain the words "Meets FHWA requirements—side-mounted—gasoline", or words of similar meaning.

§ 293.66 Liquefied petroleum gas fuel systems.

Every motor vehicle utilizing liquefied petroleum gas for any purpose shall be equipped with a fuel system, being utilized for such purpose, which complies with Division IV, June 1959 edition of the "Standards for the Storage and Handling of Liquefied Petroleum Gas" of the National Fire Protection Association, 60 Batterymarch Street, Boston, Massachusetts 02110; *Provided, however,* That such fuel systems installed on motor vehicles prior to Dec. 31, 1962, shall comply with the "standards for the Storage and Handling of Liquefied Petroleum Gas" of the National Fire Protection Association, as published in the 1951 edition, or such subsequent edition of the "Standards for the Storage and Handling of Liquefied Petroleum Gas" of the National Fire Protection Association, in effect at the time of such installation: *Provided further, however,* That in any case compliance with the 1959 edition shall be deemed to be permissible. This section, in every case, requires the marking of the container in such fuel system to indicate compliance with the Standard as provided herein.

Subpart F—Coupling Devices and Towing Methods

§ 293.70 Coupling devices and towing methods, except for driveway-tow-away operations.

(a) *Fifth wheel mounting.* The lower half of every fifth wheel mounted on

the cab or body and must be so located as to minimize the likelihood of spillage of fuel during the filling process on the exhaust system or battery.

(j) *Liquid fuel tank tests—(1) Drop test on corner of tank.* The tank when filled with water equal in weight to that of its fuel capacity shall withstand without leakage a drop of 30 feet falling so as to strike squarely on one corner on concrete or equivalent surface which shall not rupture under the impact. The fill-pipe and cap, fuel gauge sending device, and the air intake and safety vents shall not leak more than 1 ounce of water per minute as a result of this test.

(2) *Drop test on fill-pipe.* The tank when filled with water equal in weight to that of its fuel capacity shall withstand without leakage a drop of 10 feet falling so as to strike squarely on the fill-pipe on concrete or equivalent surface which shall not rupture under the impact. The fill-pipe or cap shall not leak more than 1 ounce of water per minute as a result of this test.

(3) *Safety vent test.* The safety vent, or vents, shall limit the rise in internal pressure in the tank to a maximum of 50 pounds per square inch gauge when the tank is filled to three-fourths of rated capacity with standard fuel and placed in inverted position with the fuel feed outlet connection plugged when an enveloping flame is applied to the tank with sufficient intensity to produce an internal fuel temperature rise of 6° to 8° F per minute starting from a fuel temperature of 50° to 80° F. Neither the tank, fill-pipe, fuel gauge, air intake vent, nor any other opening except blown fusible plugs shall leak more than 1 ounce of fuel per minute after having been subjected to these conditions. Other types of tests or calculations may be employed to determine compliance with this requirement if a comparable result is obtained.

(4) *Rupture test.* The tank and all appurtenances including the fill-pipe, cap, fuel gauge, and air intake vent shall withstand without rupture an internal hydrostatic pressure of 150 percent of the maximum at which the safety vent is required to release.

(5) *Spillage test.* At ordinary room temperature the tank when filled to capacity with its normal fuel and turned

the continued flow of fuel in the event the fuel feed line is broken.

(8) *Fill-pipe design.* The fill-pipe shall be designed and located so as to minimize the probability of its being torn loose in the event of an accident. The fill-pipe and vents on any fuel tank having a fuel capacity in excess of 25 gallons shall be so designed and constructed as to permit filling at a rate of at least 20 gallons per minute without spillage.

(9) *Air vent.* Every fuel tank shall be equipped with an air vent of a nonsplittable type (ball check or equivalent). The air vent may be mounted separately or combined with the filler cap or safety vent.

(10) *Safety vents.* (1) Side-mounted fuel tanks having a fuel capacity in excess of 25 gallons shall be provided with a fusible safety vent or vents which shall be so designed as to limit the pressure rise in the tank under any fire condition to a maximum of 50 pounds per square inch gage. The vent area shall be sufficient to prevent a rise in pressure in the tank of more than 10 percent of the release pressure of the safety vent or vents when the tank is subjected to a fire of any magnitude. If but one fusible safety vent is provided, it shall be located in the top of the tank; if more than one fusible safety vent is provided at least one shall be in the top of the tank.

(1) All fuel tanks having a fuel capacity in excess of 25 gallons shall be provided with means of relieving pressure in the tank due to fire before such pressure would result in the failure of the body, seams, or any bottom opening in the tank.

(g) *Liquid fuel tank capacity markings.* The tank shall be marked with its liquid capacity and shall be provided with means to indicate that it shall not be filled to more than 95 percent of its total capacity.

(1) *Liquid fuel tank identity markings.* Each tank shall be marked to identify its manufacturer and to indicate the approximate date of manufacture by lot number or otherwise.

(1) *Liquid fuel tank installation—(1) General requirement.* The tank shall be mounted in accordance with the best commercial practice.

(2) *Location of fill-pipe.* The nozzle opening in the fill-pipe shall be outside

ing or swerving from side to side over three inches to each side of the path of the towing vehicle when it is moving in a straight line.

(f) *Requirements for safety chains or cables.* Safety chains or cables shall comply with the following requirements:

(1) Every full trailer and every converter dolly used to convert a semitrailer to a full trailer shall be coupled with one or more safety chains or cables to the frame, or to an extension of the frame, of the motor vehicle by which it is towed. Attachment of these chains or cables to the pintle hook or to any other device on the towing vehicle to which the tow-bar is attached will not meet this requirement: *Provided, however,* That a separate place of attachment independent of the pintle hook on a pintle hook forging or casting may be used to attach the safety chains or cables to the towing vehicle.

(2) Safety chains or cables shall have no more slack than is necessary to permit proper turning.

(3) Each chain or cable and each means of attachment shall have an ultimate strength at least equal to the gross weight of the vehicle or vehicles being towed.

(4) Chains or cables shall be so connected to the towed and towing vehicle and to the tow-bar as to prevent the tow-bar from dropping to the ground in the event the tow-bar falls or becomes disconnected.

(5) Every full trailer and every converter dolly with a hinged tow-bar shall be equipped with two safety chains or cables, or a bridle arrangement of a single chain or cable, attached to its frame or axle at two points as far apart as the configuration of the frame or axle permits. Such chains or cables shall be either two separate pieces, each equipped with a hook or other means for attachment to the towing vehicle, or a single piece leading along each side of the tow-bar from the two points of attachment on the towed vehicle and arranged into a bridle with a single means of attachment to be connected to the towing vehicle. When a single length of cable is used a thimble and twin-base cable clamps shall be used to form the forward bridle eye. The hook or other means of attachment to

the towing vehicle shall be secured to the chains or cables in a fixed position.

(6) Converter dollies with solid tongues and without hinged tow-bars or other swivels between the fifth wheel mounting and the attachment point of the tongue eye or other hitch device may be equipped with either one or two safety chains or cables: *Provided,* That if only one chain or cable is used, it shall be in line with the centerline of the trailer tongue. The point of attachment of these chains or cables to such solid tongue converter dollies is optional: *Provided,* only that such attachment is to the rear of the attachment of the tongue eye or other hitch device.

(7) Where two safety chains or cables are used and attached to the towing vehicle at separate points, the points of attachment on the towing vehicle shall be located equally distant from, and on opposite sides of, the centerline of the towing vehicle. Where two chains or cables are attached to the same point on the towing vehicle, and where a bridle or a single chain or cable is used, the point of attachment must be on the centerline of the towing vehicle.

(g) *Location of lower half of fifth wheel.* The lower half of every fifth wheel shall be so located that, for any condition of loading, the relationship of position of king pin to the rear axle or axles of the towing motor vehicle results in proper distribution of the total gross weight of the motor vehicles to the axles and does not unduly interfere with the steering, braking, or maneuvering of the towing motor vehicle, or otherwise contribute to unsafe operation of the motor vehicles comprising the combination.

(h) *Location of upper half of fifth wheel.* The upper half of every fifth wheel shall be so located as to accomplish proper distribution of weight to the axles and safe movement of the combination of motor vehicles in all turning maneuvers.

§ 293.71 *Coupling devices and towing methods, driveaway-towaway operations.*

(a) *Number in combination.* (1) No more than three saddle-mounts may be used in any combination.
(2) No more than one tow-bar may be used in any combination.

(3) When motor vehicles are towed by means of triple saddle-mounts, the towed vehicles shall have brakes acting on all wheels which are in contact with the roadway.

(b) *Carrying vehicles on towing vehicle.* (1) When adequately and securely attached by means equivalent in security to that provided in paragraph (j) (2) of this section, a motor vehicle or motor vehicles may be full-mounted on the structure of a towing vehicle engaged in any driveaway-towaway operation.

(2) No motor vehicle or motor vehicles may be full-mounted on a towing vehicle unless the relationship of such full-mounted vehicles to the rear axle or axles results in proper distribution of the total gross weight of the vehicles and does not unduly interfere with the steering, braking, or maneuvering of the towing vehicle, or otherwise contribute to the unsafe operation of the vehicles comprising the combination.

(c) *Carrying vehicles on towed vehicles.* (1) When adequately and securely attached by means equivalent in security to that provided in paragraph (j) (2) of this section, a motor vehicle or motor vehicles may be full-mounted on the structure of towed vehicles engaged in any driveaway-towaway operation.

(2) No motor vehicle shall be full-mounted on a motor vehicle towed by means of a tow-bar unless the towed vehicle is equipped with brakes and is provided with means for effective application of brakes acting on all wheels and is towed on its own wheels.

(3) No motor vehicle or motor vehicle shall be full-mounted on a motor vehicle towed by means of a saddle-mount unless the center line of the kingpin or equivalent means of attachment of such towed vehicle shall be so located on the towing vehicle that the relationship to the rear axle or axles results in proper distribution of the total gross weight of the vehicles and does not unduly interfere with the steering, braking, or maneuvering of the towing vehicle or otherwise contribute to the unsafe operation of vehicles comprising the combination; and unless a perpendicular to the ground from the center of gravity of the ground-mounted vehicles lies forward of the

center line of the rear axle of the saddle-mounted vehicle.

(4) If a motor vehicle towed by means of a double saddle-mount has any vehicle full-mounted on it, such saddle-mounted vehicle shall at all times while so loaded have effective brakes acting on those wheels which are in contact with the roadway.

(d) *Bumper tow-bars on heavy vehicles prohibited.* Tow-bars of the type which depend upon the bumpers as a means of transmitting forces between the vehicles shall not be used to tow a motor vehicle weighing more than 5,000 pounds.
(e) *Front wheels of saddle-mounted vehicles restrained.* A motor vehicle towed by means of a saddle-mount shall have the motion of the front wheels restrained if under any condition of turning of such wheels they will project beyond the widest part of either the towed or towing vehicle.

(f) *Vehicles to be towed in forward position.* Unless the steering mechanism is adequately locked in a straight-forward position, all motor vehicles towed by means of a saddle-mount shall be towed with the front end mounted on the towing vehicle.

(g) *Means required for towing.* (1) No motor vehicle or motor vehicles shall be towed in driveaway-towaway operations by means other than tow-bar or saddle-mount connections which shall meet the requirements of this section.
(2) For the purpose of the regulations of this part:

(1) Coupling devices such as those used for towing house trailers and employing ball and socket connections shall be considered as tow-bars.

(1) Motor vehicles or parts of motor vehicles adequately, securely, and rigidly attached by devices meeting the requirements of paragraph (n) of this section shall be considered as one vehicle in any position in any combination.

(h) *Requirements for tow-bars.* Tow-bars shall comply with the following requirements:

(1) *Tow-bars, structural adequacy and mounting.* Every tow-bar shall be structurally adequate and properly installed and maintained. To insure that it is structurally adequate, it must, at least, meet the requirements of the following table:

Provided, however, That a lesser radius may be utilized if the U-bolt is so fabricated as not to cause more than 5 percent reduction in cross-sectional area at points of curvature, in which latter event the minimum radius shall be one-sixteenth inch. U-bolts shall have a diameter not less than required by the following table:

DIAMETER OF U-BOLTS IN INCHES	Double or triple saddle-mount				
	Weight in pounds of heaviest towed vehicle	Front mount or front mount	Middle mount	Rear mount	Single saddle-mount ¹
Up to 5,000	0.025	0.025	0.025	0.040	0.500
5,000 and over	0.0375	0.0375	0.0375	0.045	0.5925

¹ The total weight of all the vehicles being towed shall govern. If other devices are used to accomplish the same purposes as U-bolts they shall have at least equivalent strength of U-bolts made of mild steel. Cast Iron shall not be used for clamps or any other holding devices.

(3) **U-bolts and points of support.** Location. The distance between the most widely separated U-bolts shall not be less than 9 inches. The distance between the widely separated points where the upper-half supports the towed vehicle shall not be less than 9 inches, except that saddle-mounts employing ball and socket joints shall employ a device which clamps the axle of the towed vehicle throughout a length of not less than 5 inches.

(4) **Cradle-type upper-halves, specifications.** Upper-halves of the cradle-type using vertical members to restrain the towed vehicle from relative movement in the direction of motion of the vehicles shall be substantially constructed and adequate for the purpose. Such cradle-mounts shall be equipped with at least one bolt or equivalent vertical movement against relative vertical movement between the upper-half and the towed vehicle. Bolts, if used, shall be at least one-half inch in diameter. Devices using equivalent means shall have at least equivalent strength. The means used to provide against relative vertical motion between the upper-half and the towed vehicle shall be such as not to permit a relative motion of over one-half inch. The distance between the most widely separated points of support between the upper-half and the towed vehicle shall be at least 9 inches.

cles shall be at least equivalent to the corresponding longitudinal strength for tow-bars required in the table of paragraph (h) (1) of this section. The required strength shall be of the combined strength of the combination of chains and cables.

(11) The chains or cables shall be crossed and attached to the vehicles near the points of bumper attachments to the chassis of such vehicles. The length of chain used shall be no more than necessary to permit free turning of the vehicles. The chains shall be attached to the tow-bar at the point of crossing or as close thereto as is practicable.

(1) **Saddle-mount definitions.** The following terms, when used in this part, mean:

(1) **Saddle-mount.** "Saddle-mount" means a device, designed and constructed as to be readily demountable, used in driveway-towaway operations to perform the functions of a conventional fifth wheel.

(2) **Upper-half.** "Upper-half" of a "saddle-mount" means that part of the device which is securely attached to the towed vehicle and maintains a fixed position relative thereto, but does not include the "king-pin."

(3) **Lower-half.** "Lower-half" of a "saddle-mount" means that part of the device which is securely attached to the towing vehicle and maintains a fixed position relative thereto but does not include the "king-pin."

(4) **King-pin.** "King-pin" means that device which is used to connect the "upper-half" to the "lower-half" in such manner as to permit relative movement in a horizontal plane between the towed and towing vehicles.

(5) **Requirements for upper-half of saddle-mounts.** The upper-half of any saddle-mount shall comply with the following requirements:

(1) **Upper-half connection to towed vehicle.** The upper-half shall be securely attached to the frame or axle of the towed vehicle by means of U-bolts or other means providing at least equivalent security.

(2) **U-bolts or other attachments.** U-bolts used to attach the upper half to the towed vehicle shall be made of steel rod, free of defects, so shaped as to avoid at any point a radius of less than 1 inch.

center, in any direction shall not exceed 0.25 inch under any condition of adjustment as to length.

(5) **Method of clamping.** Adequate means shall be provided for securely fastening the tow-bar to the towed and towing vehicles.

(6) **Tow-bar connection to steering mechanism.** The tow-bar shall be provided with suitable means of attachment to and actuation of the steering mechanism, if any, of the towed vehicle. The attachment shall provide for sufficient angularity of movement of the front wheels of the towed vehicle so that it may follow substantially in the path of the towing vehicle without cramping the tow-bar. The tow-bar shall be provided with suitable joints to permit such movement.

(7) **Tracking.** The tow-bar shall be so designed, constructed, maintained, and mounted as to cause the towed vehicle to follow substantially in the path of the towing vehicle. Tow-bars of such design or in such condition as to permit the towed vehicle to deviate more than 3 inches to either side of the path of a towing vehicle moving in a straight line are prohibited.

(8) **Passenger-car trailer couplings.** Trailer couplings used for driveway-towaway operations of passenger car trailers shall comply with the SAE Recommended Practice "Passenger Car Trailer Couplings."

(9) **Marking tow-bars.** Every tow-bar acquired and used in drive-away-towaway operations by a motor carrier shall be plainly marked with the following certification of the manufacturer thereof (or words of equivalent meaning):

This tow-bar complies with the requirements of the Federal Highway Administration for (maximum gross weight for which tow-bar is manufactured) vehicles.

Manufactured ----- (Month and year)
by -----
(Name of manufacturer)

(10) **Safety chains and cables.** (1) The towed vehicle shall be connected to the towing vehicle by means of two safety chains or cables. The tensile strength of such chains or cables and their means of attachment to the vehicle

¹ See footnote 1 to § 293.24(c).

Gross weight of towed vehicle (pounds) ¹	Longitudinal strength in tension and compression ²		Strength as a beam (in any direction conceived, treated load at center) ³
	All tow-bars	New tow-bars acquired and used by a motor carrier after Sept. 30, 1948	
Less than 5,000	3,000	6,500	Pounds 3,000
5,000 and over	6,000	(1)	(1)
Less than 10,000	9,000	(1)	(1)
10,000 and over			
Less than 15,000			

¹ The required strength of tow-bars for towed vehicles of 15,000 pounds and over gross weight and of new tow-bars acquired and used after Sept. 30, 1948, for towed vehicles of 5,000 pounds and over gross weight shall be computed by means of the following formulae: Longitudinal strength = gross weight of towed vehicle x 0.6. Strength as a beam = gross weight of towed vehicle x 0.6. ² In testing, the whole unit shall be tested with all clamps, joints, and pins so mounted and fastened as to approximate conditions of actual operation. ³ This test shall be applicable only to tow-bars which are, in normal operation, subjected to bending movement such as tow-bars for house trailers.

(2) **Tow-bars, jointed.** The tow-bar shall be so constructed as to freely permit motion in both horizontal and vertical planes between the towed and towing vehicles. The means used to provide the motion shall be such as to prohibit the transmission of stresses under normal operation between the towed and towing vehicles, except along the longitudinal axis of the tongue or tongues.

(3) **Tow-bar fastenings.** The means used to transmit the stresses to the chassis or frames of the towed and towing vehicles may be either temporary structures or bumpers or other integral parts of the vehicles: *Provided, however,* That the means used shall be so constructed, installed, and maintained that, when tested as an assembly, failure in such members shall not occur when the weakest new tow-bar which is permissible under paragraph (h) (1) of this section is subjected to the tests given therein.

(4) **Means of adjusting length.** On tow-bars, adjustable as to length, the means used to make such adjustment shall fit tightly and not result in any slackness or permit the tow-bar to bend. With the tow-bar supported rigidly at both ends and with a load of 50 pounds at the center, the sag, measured at the

(5) *Lateral movement of towed vehicle.* (1) Towed vehicles having a straight axle or an axle having a drop of less than 3 inches, unless the saddle-mount is constructed in accordance with paragraph (m) (2) of this section, shall be securely fastened by means of chains or cables to the upper-half so as to insure against relative lateral motion between the towed vehicle and the upper-half. The chains or cables shall be at least 3/16-inch diameter and secured by bolts of at least equal diameter.

(ii) Towed vehicles with an axle with a drop of 3 inches or more, or connected by a saddle-mount constructed in accordance with paragraph (m) (2) of this section, need not be restrained by chains or cables provided that the upper-half is so designed as to provide against such relative motion.

(iii) Chains or cables shall not be required if the upper-half is so designed as positively to provide against lateral movement of the axle.

(c) *Requirements for lower half of saddle-mounts.* The lower half of any saddle-mount shall comply with the following requirements:

(1) *U-bolts or other attachments.* U-bolts used to attach the lower half to the towing vehicle shall be made of steel rod, free of defects, so shaped as to avoid at any point a radius of less than 1 inch. *Provided, however,* that a lesser radius may be utilized if the U-bolt is so fabricated as not to cause more than 5 percent reduction in cross-sectional area at points of curvature, in which latter event the minimum radius shall be one-sixteenth inch. U-bolts shall have a total cross-sectional area not less than as required by the following table:

Weight in pounds of heaviest towed vehicle	Double or triple saddle-mount		
	Front mount	Middle or front mount	Rear mount
Up to 5,000	1.2	1.0	0.8
5,000 and over	1.4	1.2	1.0

¹ The total weight of all the vehicles being towed shall govern. If other devices are used to accomplish the same purposes as U-bolts they shall have at least equivalent strength of U-bolts made of mild steel. Care must be taken not to be used for clamps or any other holding devices.

(2) *Shifting.* Adequate provision shall be made by design and installation to provide against relative movement between the lower-half and the towing vehicle especially during periods of rapid acceleration and deceleration. To insure against shifting, designs of the tripod type shall be equipped with adequate and securely fastened hold-back chains or similar devices.

(3) *Swaging.* (i) Adequate provision shall be made by design and installation to provide against swaying or lateral movement of the towed vehicle relative to the towing vehicle. To insure against swaying, lower-halves designed with cross-members attached to but separable from vertical members shall have such cross-members fastened to the vertical members by at least two bolts on each side. Such bolts shall be of at least equivalent cross-sectional area as those required for U-bolts for the corresponding saddle-mount as given in the table in paragraph (k) (1) of this section. The minimum distance between the most widely separated points of support of the cross-member by the vertical member shall be three inches as measured in a direction parallel to the longitudinal axis of the towing vehicle.

(ii) The lower-half shall have a bearing surface on the frame of the towing vehicle of such dimensions that the pressure exerted by the lower-half upon the frame of the towing vehicle shall not exceed 200 pounds per square inch under any conditions of static loading. Hardwood blocks or blocks of other suitable material, such as hard rubber, aluminum or brackelining, if used between the lower half and the frame of the towing vehicle shall be at least 1/2 inch thick, 3 inches wide, and a combined length of 6 inches.

(iii) Under no condition shall the highest point of support of the towed vehicle by the upper-half be more than 24 inches, measured vertically, above the top of the frame of the towing vehicle, measured at the point where the lower-half rests on the towing vehicle.

(4) *Wood blocks.* (i) Hardwood blocks of good quality may be used to build up the height of the front end of the towed vehicle, provided that the total height of such wood blocks shall not exceed 8 inches and not over two separate pieces are placed upon each other to obtain such

height; however, hardwood blocks, not over 4 in number, to a total height not to exceed 14 inches, may be used if the total cross-sectional area of the U-bolts used to attach the lower-half of the towing vehicle is at least 50 percent greater than that required by the table contained in paragraph (k) (1) of this section, or, if other devices are used in lieu of U-bolts, they shall provide for as great a resistance to bending as is provided by the larger U-bolts above prescribed.

(ii) Hardwood blocks must be at least 4 inches in width and the surfaces between blocks or block and lower-half or block and upper-half shall be planed and so installed and maintained as to minimize any tendency of the towed vehicle to sway or rock.

(5) *Cross-member, general requirements.* The cross-member, which is that part of the lower-half used to distribute the weight of the towed vehicle equally to each member of the frame of the towing vehicle, if used, shall be structurally adequate and properly installed and maintained adequately to perform this function.

(6) *Cross-member, use of wood.* No materials, other than suitable metals, shall be used as the cross-member, and wood may not be used structurally in any

manner that will result in its being subjected to tensile stresses. Wood may be used in cross-members if supported throughout its length by suitable metal cross-members.

(7) *Lower half strength.* The lower half shall be capable of supporting the loads given in the following table. For the purpose of test, the saddle-mount shall be mounted as normally operated and the load applied through the upper half:

MINIMUM TEST LOAD IN POUNDS

Weight in pounds of heaviest towed vehicle	Double or triple saddle-mount		
	Front mount	Middle or front mount	Rear mount
Up to 5,000	15,000	10,000	5,000
5,000 and over	30,000	20,000	10,000

¹ The total weight of all the vehicles being towed shall govern.

(1) *Requirements for kingpins of saddle-mounts.* The kingpin of any saddle-mount shall comply with the following requirements:

(i) *Kingpin size.* (1) Kingpins shall be constructed of steel suitable for the purpose, free of defects, and having a diameter not less than required by the following table:

DIAMETER OF SOLID KINGPIN IN INCHES

Weight in pounds of heaviest towed vehicle	Front mount		Middle or front mount		Rear mount	
	Mild steel	H.T.S. ²	Mild steel	H.T.S. ²	Mild steel	H.T.S. ²
Up to 5,000	1.125	1.000	1.000	0.875	0.875	0.750
5,000 and over	1.500	1.125	1.250	1.000	1.000	0.875

¹ The total weight of all the vehicles being towed shall govern. ² High-tensile steel is steel having a minimum ultimate strength of 65,000 pounds per square inch.

(ii) If a ball and socket joint is used in place of a kingpin, the diameter of the neck of the ball shall be at least equal to the diameter of the corresponding solid kingpin given in the above table. If hollow kingpins are used, the metallic kingpin in the above table shall be equal to the cross-sectional area of the corresponding solid kingpin.

(3) *Kingpin bushing on saddle-mounts.* The kingpin of all new saddle-mounts acquired and used shall be snugly enclosed in a bushing at least along such length of the kingpin as may be in moving contact with either the upper or lower-halves. The bearing surface thus provided shall not be less in depth than the radius of the kingpin.

(4) *Kingpin to restrain vertical motion.* The kingpin shall be so designed and installed as to restrain the upper-half from moving in a vertical direction relative to the lower-half.

(m) *Additional requirements for saddle-mounts.* Saddle-mounts shall comply with the following requirements:

(1) *Bearing surface between upper and lower-halves.* The upper and lower-halves shall be so constructed and connected that the bearing surface between the two halves shall not be less than 16 square inches under any conditions of angularity between the towing and towed vehicles: *Provided, however,* That saddle-mounts using a ball and socket joint shall have a ball of such dimension that the static bearing load shall not exceed 800 pounds per square inch, based on the projected cross-sectional area of the ball: *And further provided,* That saddle-mounts having the upper-half supported by ball, taper, or roller-bearings shall not have such bearings loaded beyond the limits prescribed for such bearings by the manufacturer thereof. The upper-half shall rest evenly and smoothly upon the lower-half and the contact surfaces shall be lubricated and maintained so that there shall be a minimum of frictional resistance between the parts.

(2) *Saddle-mounts, angularity.* All saddle-mounts acquired and used shall provide for angularity between the towing and towed vehicles due to vertical curvatures of the highway. Such means shall not depend upon either the looseness or deformation of the parts of either the saddle-mount or the vehicles to provide for such angularity.

(3) *Tracing.* The saddle-mount shall be so designed, constructed, maintained, and installed that the towed vehicle or vehicles will follow substantially in the path of the towing vehicle without swerving. Towed vehicles shall not deviate more than 3 inches to either

side of the path of the towing vehicle when moving in a straight line.

(4) *Prevention of frame bending.* Where necessary, provision shall be made to prevent the bending of the frame of the towing vehicle by insertion of suitable blocks inside the frame channel to prevent kinking. The saddle-mount shall not be so located as to cause deformation of the frame by reason of cantilever action.

(5) *Extension of frame.* No saddle-mount shall be located at a point to the rear of the frame of a towing vehicle.

(6) *Nuts, secured.* All nuts used on bolts, U-bolts, king-pins, or in any other part of the saddle-mount shall be secured against accidental disconnection by means of cotter-keys, lock-washers, double nuts, safety nuts, or equivalent means. Parts shall be so designed and installed that nuts shall be fully engaged.

(7) *Inspection of all parts.* The saddle-mount shall be so designed that it may be disassembled and each separate part inspected for worn, bent, cracked, broken, or missing parts.

(8) *Saddle-mounts, marking.* Every new saddle-mount acquired and used in driveway-towaway operations by a motor carrier shall have the upper-half and the lower-half separately marked with the following certification of the manufacturer thereof (or words of equivalent meaning).

This saddle-mount complies with the requirements of the Federal Highway Administration for vehicles up to 5,000 pounds (or over 5,000 pounds):

Manufactured ----- (Month and year)

by ----- (Name of manufacturer)

(n) *Requirements for devices used to connect motor vehicles or parts of motor vehicles together to form one vehicle—*

(1) *Front axle attachment.* The front axle of one motor vehicle intended to be coupled with another vehicle as defined in paragraph (g) (2) (ii) of this section shall be attached with U-bolts meeting the requirements of paragraph (j) (2) of this section.

(2) *Rear axle attachment.* The rear axle of one vehicle shall be coupled to the frame of the other vehicle by means

and shall be equipped with springs and a mattress or an innerspring or air mattress, or a cellular rubber mattress at least four inches in thickness and adequate bed-clothing and blankets. The sleeper berth shall be so constructed as to permit the ready removal of the mattress and bed-clothing for cleaning purposes.

(c) *Communication with driver.* Unless the sleeper berth is located within the driver's compartment or is provided with a direct entrance thereto means shall be provided to enable the occupant of the berth to communicate with the driver. Such means may include telephones, speaker tubes, buzzers, pull cords, or other mechanical or electrical means.

(d) *Size.* The sleeper berth shall be of such dimensions as to provide at least the following inside dimensions: 72 inches long measured on the center line of the longitudinal axis, 18 inches wide at its center, 18 inches deep at its center, measured from top of mattress. The sleeper berth shall be so constructed as not unduly to hinder the ready entrance or exit of the occupant.

(e) *Ventilation.* Sleeper berths shall be provided with louvers or other means of providing proper ventilation but shall be reasonably tight against dust and rain.

(f) *Protection against exhaust and fuel systems.* Sleeper berths shall not be so located as to permit the ready entrance of gases from the exhaust system. The sleeper berth shall not be so located as to be overheated or damaged by reason of its proximity to the exhaust system. The sleeper berth shall not be so located that defects in the fuel system would result in leakage on or in the sleeper berth.

(g) *Location limited.* No sleeper berth shall be located within the cargo space of a motor vehicle unless such berth is completely and securely compartmentalized from the remainder of the cargo space. No sleeper berth shall be installed in or on any semitrailer or full trailer other than house trailers.

(h) *New vehicles, additional specifications.* Every sleeper berth installed in or on any truck or truck-tractor shall comply with the following requirements,

Subpart G—Miscellaneous Parts and Accessories

§ 293.75 Tires.

(a) No motor vehicle shall be operated on tires which have been worn so smooth as to expose any tread fabric or which have any other defect likely to cause failure. No bus shall be operated on any tire which does not have tread configurations on that part of the tire which is in contact with the road surface. No buses shall be operated with regrooved, recapped, or retreaded tires on the front wheels.

§ 293.76 Sleeper berths.

Every sleeper berth shall comply with the following requirements:

(a) *Ready exits.* The sleeper berth shall be so designed, constructed, and maintained as to provide the occupant, without the assistance of other persons, with at least two exits at opposite sides of the vehicle, each being at least 18 inches high and 21 inches wide: *Provided,* That if the berth space is part of the original cab or made part of the cab by remodeling of the cab, and has a doorway or opening at least 18 inches high and 36 inches wide between the berth and the driving seat, the requirement for two exits need not apply. It is further provided that the ready means of exit from sleeper berths into the driver's compartment, on sleeper berths which are installed on motor vehicles before December 31, 1962, shall have sufficient area to contain an ellipse having a major axis of 24 inches and a minor axis of 16 inches.

(b) *Equipment.* The sleeper berth shall be properly equipped for sleeping

leum gas, or any other combustible material shall be provided with substantial means of conducting the products of combustion to the outside of the vehicle: *Provided, however,* That this requirement shall not apply to heaters used solely to heat the cargo space of motor vehicles where such motor vehicles or heaters are equipped with means specifically designed and maintained so that the carbon monoxide concentration will never exceed 0.2 percent in the cargo space. The exhaust pipe, stack, or conduit if required shall be sufficiently substantial and so secured as to provide reasonable assurance against leakage or discharge of products of combustion within the vehicle and, if necessary, shall be so insulated as to make unlikely the burning or charring of parts of the vehicle by radiation or by direct contact. The place of discharge of the products of combustion to the atmosphere and the means of discharge of such products shall be such as to minimize the likelihood of their reentry into the vehicle under all operating conditions.

(10) *Combustion chamber construction.* The design and construction of any combustion-type heater except cargo space heaters permitted by the proviso of subparagraph (9) of this paragraph and unenclosed flame heaters used for heating cargo of tank motor vehicles shall be such as to provide against the leakage of products of combustion into air to be heated and circulated. The material employed in combustion chambers shall be such as to provide against leakage because of corrosion, oxidation, or other deterioration. Joints between combustion chambers and the air chambers with which they are in thermal and mechanical contact shall be so designed and constructed as to prevent leakage between the chambers and the materials employed in such joints shall have melting points substantially higher than the maximum temperatures likely to be attained at the points of jointure.

(11) *Heater fuel tank location.* Every bus, except those having a seating capacity of eight or less persons, with heaters of the combustion type shall have fuel tanks therefor located outside of and lower than the passenger space. When necessary, suitable protection shall be afforded by shielding or others means

(4) *Relative motion between fuel tank and heater.* When either in normal operation or in the event of overturn, there is or is likely to be relative motion between the fuel tank for a heater and the heater, or between either of such units and the fuel lines between them, a suitable means shall be provided at a point of greatest relative motion so as to allow this motion without causing failure of the fuel lines.

(5) *Operating controls to be protected.* On every bus, except buses having a seating capacity of eight or less persons, means shall be provided to prevent unauthorized persons from tampering with the operating controls. Such means may include remote control by the driver; installation of controls at inaccessible places; control of adjustments by key or keys; enclosure of controls in a locked space, locking of controls, or other means of accomplishing this purpose.

(6) *Heater hoses.* Hoses for all hot water and steam heater systems shall be specifically designed and constructed for that purpose.

(7) *Electrical apparatus.* Every heater employing any electrical apparatus shall be equipped with electrical conductors, switches, connectors, and other electrical parts of ample current-carrying capacity to provide against overheating; any electric motor employed in any heater shall be of adequate size and so located that it will not be overheated; electrical circuits shall be provided with fuses and/or circuit breakers to provide against electrical overloading; and all electrical conductors employed in or leading to any heater shall be secured against dangling, chafing, and rubbing and shall have suitable protection against any other condition likely to produce short or open circuits.

Note: Electrical parts certified as proper for use by Underwriters' Laboratories, Inc., shall be deemed to comply with the foregoing requirements.

(8) *Storage battery caps.* If a separate storage battery is located within the personnel or cargo space, such battery shall be securely mounted and equipped with nonspill filler caps.

(9) *Combustion heater exhaust construction.* Every heater employing the combustion of oil, gas, liquefied petro-

any heater taking air in ducts from the outside atmosphere to be conveyed through the engine compartment, unless said ducts are so constructed and installed as to prevent contamination of the air so conveyed by exhaust or engine compartment gases.

(5) *Solid fuel heaters except wood charcoal.* Any stove or other heater employing solid fuel except wood charcoal.

(6) *Portable heaters.* Portable heaters shall not be used in any space occupied by persons except the cargo space of motor vehicles which are being loaded or unloaded.

(c) *Heater specifications.* All heaters shall comply with the following specifications:

(1) *Heating elements, protection.* Every heater shall be so located or protected as to prevent contact therewith by occupants, unless the surface temperature of the protecting grilles or of any exposed portions of the heaters, inclusive of exhaust stacks, pipes, or conduits shall be lower than would cause contact burns. Adequate protection shall be afforded against igniting parts of the vehicle or burning occupants by direct radiation. Wood charcoal heaters shall be enclosed within a metal barrel, drum, or similar protective enclosure which enclosure shall be provided with a securely fastened cover.

(2) *Moving parts, guards.* Effective guards shall be provided for the protection of passengers or occupants against injury by fans, belts, or any other moving parts.

(3) *Heaters, secured.* Every heater and every heater enclosure shall be securely fastened to the vehicle in a substantial manner so as to provide against relative motion within the vehicle during normal usage or in the event the vehicle overturns. Every heater shall be so designed, constructed, and mounted as to minimize the likelihood of disassembly of any of its parts, including exhaust stacks, pipes, or conduits, upon overturn of the vehicle in or on which it is mounted. Wood charcoal heaters shall be secured against relative motion within the enclosure required by subparagraph (1) of this paragraph, and the enclosure shall be securely fastened to the motor vehicle.

in addition to those set forth in paragraphs (a) to (e) of this section:

(1) *Berth to be part of cab.* Every sleeper berth shall be located within the cab or be immediately adjacent thereto, or be located within the cargo space of a truck. Such sleeper berth shall be securely fixed with relation to the cab and shall be provided with a direct and ready means of exit into the driver's compartment, which exit shall comply with the requirements of paragraph (a) of this section.

(2) *Berths, dimensions.* The sleeper berth shall be so constructed and maintained as to provide, at least, the following inside dimensions: 75 inches long measured on the centerline of the longitudinal axis, 21 inches wide and 21 inches deep measured from the top of the mattress, of generally rectangular shape, except that the horizontal corners and the roof corners may be rounded to radii not exceeding 10 1/2 inches.

§ 293.77 Heaters.

On every motor vehicle, every heater shall comply with the following requirements:

(a) *Definition.* The term "heater" means any device or assembly of devices or appliances used to heat the interior of any motor vehicle.

(b) *Prohibited types of heaters.* The installation or use of the following types of heaters is prohibited:

(1) *Exhaust heaters.* Any type of exhaust heater in which the engine exhaust gases are conducted into or through any space occupied by persons or any heater which conducts engine compartment air into any such space.

(2) *Unenclosed flame heaters.* Any type of heater employing a flame which is not fully enclosed, except that such heaters are not prohibited when used for heating the cargo of tank motor vehicles.

(3) *Heaters permitting fuel leakage.* Any type of heater from the burner of which there could be spillage or leakage of fuel upon the tilting or overturning of the vehicle in which it is mounted.

(4) *Heaters permitting air contamination.* Any heater taking air, heated or to be heated, from the engine compartment or from direct contact with any portion of the exhaust system; or

against the puncturing of any such tank or its connections by flying stones or other objects.

(12) *Heater, automatic fuel control.* Gravity or siphon feed shall not be permitted for heaters using liquid fuels. Heaters using liquid fuels shall be equipped with automatic means for shutting off the fuel or for reducing such flow of fuel to the smallest practicable magnitude, in the event of overturn of the vehicle. Heaters using liquefied petroleum gas or fuel shall have the fuel line equipped with automatic means at the source of supply for shutting off the fuel in the event of separation, breakage, or disconnection of any of the fuel lines between the supply source and the heater.

(13) *"Tell-tale" indicators.* Heaters subject to subparagraph (14) of this paragraph and not provided with automatic controls shall be provided with "tell-tale" means to indicate to the driver that the heater is properly functioning. This requirement shall not apply to heaters used solely for the cargo space in semi-trailers or full trailers.

(14) *Shut-off control.* Automatic means, or manual means if the control is readily accessible to the driver without moving from the driver's seat, shall be provided to shut off the fuel and electrical supply in case of failure of the heater to function for any reason, or in case the heater should function improperly or overheat. This requirement shall not apply to wood charcoal heaters or to heaters used solely to heat the contents of cargo tank motor vehicles, but wood charcoal heaters must be provided with a controlled method of regulating the flow of combustion air.

(15) *Certification required.* Every combustion-type heater, except wood charcoal heaters, the date of manufacture of which is subsequent to December 31, 1952, and every wood charcoal heater, the date of manufacture of which is subsequent to September 1, 1953, shall be marked plainly to indicate the type of service for which such heater is designed and with a certification by the manufacturer that the heater meets the applicable requirements for such use. For example, "Meets I.C.C. Bus Heater Requirements," Meets I.C.C. Flue-Vented

Cargo Space Heater Requirements," and after December 31, 1967, such certification shall read "Meets FHWA Bus Heater Requirements," "Meets FHWA Flue-Vented Cargo Space Heater Requirements," etc.

§ 293.78 *Windshield wipers.*
 (a) Every bus, truck, and truck tractor, having a windshield, shall be equipped with at least two automatically-operating windshield wiper blades, one on each side of the centerline of the windshield, for cleaning rain, snow, or other moisture from the windshield and which shall be in such condition as to provide clear vision for the driver, unless one such blade be so arranged as to clean an area of the windshield extending to within 1 inch of the limit of vision through the windshield at each side: *Provided, however,* That in drive-away-towaway operations this section shall apply only to the driven vehicle: *And provided further,* That one windshield wiper blade will suffice under this section when such driven vehicle in drive-away-towaway operation constitutes part or all of the property being transported and has no provision for two such blades.

(b) Every bus, truck, and truck tractor, the date of manufacture of which is subsequent to June 30, 1953, which depends upon vacuum to operate the windshield wipers, shall be so constructed that the operation of the wipers will not be materially impaired by change in the intake manifold pressure.

§ 293.79 *Defrosting device.*
 Every bus, truck, and truck tractor having a windshield, when operating under conditions such that ice, snow, or frost would be likely to collect on the outside of the windshield or condensation on the inside of the windshield, shall be equipped with a device or other means, not manually operated, for preventing or removing such obstructions to the driver's view: *Provided, however,* That this section shall not apply in drive-away-towaway operations when the driven vehicle is a part of the shipment being delivered.

§ 293.80 *Rear-vision mirrors.*
 Every bus, truck, and truck tractor shall be equipped with two rear-vision

mirrors, one at each side firmly attached to the outside of the motor vehicle and so located as to reflect to the driver a view of the highway to the rear along both sides of the vehicle: *Provided, however,* That only one outside mirror shall be required, which shall be at the driver's side, on trucks which are so constructed that the driver has a view to the rear by means of an interior mirror: *And provided further,* That in drive-away-towaway operations the driven vehicle shall have at least one mirror furnishing a clear view to the rear.

§ 293.81 *Horn.*
 Every bus, truck, truck-tractor, and every driven motor vehicle in drive-away-towaway operations shall be equipped with a horn and actuating elements which shall be in such condition as to give an adequate and reliable warning signal.

§ 293.82 *Speedometer.*
 Every bus, truck, and truck-tractor shall be equipped with a speedometer indicating vehicle speed in miles per hour, which shall be operative with reasonable accuracy; however, this requirement shall not apply to any driven vehicle which is part of a shipment being delivered in a drive-away-towaway operation if such driven vehicle is equipped with an effective means of limiting its maximum speed to 45 miles per hour, nor to any towed vehicle.

§ 293.83 *Exhaust system location.*
 No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle. The exhaust system of every bus shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the bus. The exhaust system of every truck and truck tractor shall discharge to the atmosphere at a location to the rear of the cab or, if the exhaust projects above the cab, at a location near the rear of the cab.

§ 293.84 *Floors.*
 The flooring in all motor vehicles shall be substantially constructed, free of un-

necessary holes and openings, and shall be maintained so as to minimize the entrance of fumes, exhaust gases, or fire. Floors shall not be permeated with oil or gasoline, and shall have the interior surface in good condition.

§ 293.85 *Protection against shifting cargo.*

Every motor vehicle carrying cargo, the nature of which is such that the shifting thereof due to rapid deceleration or accident would be likely to result in penetration or crushing of the driver's compartment must, in addition to having the load securely fastened or braced, be provided with header boards or similar devices of sufficient strength to prevent such shifting and penetration. All motor vehicles shall be so constructed or be equipped with adequate cargo fastening devices so that the load will not penetrate the cargo compartment wall when subjected to the maximum braking deceleration of which the vehicle is capable.

§ 293.86 *Rear end protection.*

Every motor vehicle, except truck-tractors, pole trailers, and vehicles engaged in drive-away-towaway operations, the date of manufacture of which is subsequent to December 31, 1952, which is so constructed that the body or the chassis assembly if without a body has a clearance at the rear end of more than 30 inches from the ground when empty, shall be provided with bumpers or devices serving similar purposes which shall be so constructed and located that: (a) The clearance between the effective bottom of the bumpers or devices and the ground shall not exceed 30 inches with the vehicle empty; (b) the maximum distance between the closest points between bumpers, or devices, if more than one is used, shall not exceed 24 inches; (c) the maximum transverse distance from the widest part of the motor vehicle at the rear to the bumper or device shall not exceed 18 inches; (d) the bumpers or devices shall be located not more than 24 inches forward of the extreme rear of the vehicle; and (e) the bumpers or devices shall be substantially constructed and firmly attached. Motor vehicles constructed and maintained so that the body, chassis, or other parts of

the vehicle afford the rear end protection contemplated shall be deemed to be in compliance with this section.

§ 293.87 Flags on projecting loads.

Any motor vehicle having a load which extends beyond the sides or more than four feet beyond the rear shall have the extremities of the load marked with a red flag, not less than 12 inches square, at each point where a lamp is required by § 293.18.

§ 293.88 Television receivers.

Any motor vehicle equipped with a television viewer, screen or other means of visually receiving a television broadcast shall have the viewer or screen located in the motor vehicle at a point to the rear of the back of the driver's seat if such viewer or screen is in the same compartment as the driver and the viewer or screen shall be so located as not to be visible to the driver, while he is driving the motor vehicle. The operating controls for the television receiver shall be so located that the driver cannot operate them without leaving the driver's seat.

§ 293.89 Buses, driveshaft protection.

Any driveshaft extending lengthways under the floor of the passenger compartment of a bus, except buses having a seating capacity of eight or less persons, shall be protected by means of at least one guard or bracket at that end of the shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

§ 293.90 Buses, stantee line or bar.

Except as provided below, every bus which is designed and constructed so as to allow standees, shall be plainly marked with a line of contrasting color at least 2 inches wide or equipped with some other means so as to indicate to any person that he is prohibited from occupying a space forward of a perpendicular plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. Every bus shall have clearly posted at or near the

front, a sign with letters at least one-half inch high stating that it is a violation of the Federal Highway Administration's regulations for a bus to be operated with persons occupying the prohibited area. The requirements of this section shall not apply to any bus being transported in driveway-towaway operation or to any level of the bus other than that the level in which the driver is located nor shall they be construed to prohibit any seated person from occupying permanent seats located in the prohibited area provided such seats are so located that persons sitting therein will not interfere with the driver's safe operation of the bus.

§ 293.91 Buses, aisle seats prohibited.

No bus, except buses having a seating capacity of eight or less persons, shall be equipped with aisle seats unless such seats are so designed and installed as to automatically fold and leave a clear aisle when they are unoccupied. No bus shall be operated if any seat therein is not securely fastened to the vehicle. *Provided, however,* That this section shall not apply with respect to any bus while engaged exclusively in the transportation of agricultural workers in charter transportation if such bus carries not to exceed eight passengers on temporary folding seats located in the center aisle of the bus: *And provided further,* That if such temporary seats are used, the carrier at the end of each month in which such transportation is provided, shall promptly file a report with the Director, Bureau of Motor Carrier Safety, Federal Highway Administration, Washington, D.C. 20591, containing the following information: (a) Number of bus trips during the month involving the use of such temporary seats; (b) Aggregate passenger miles of such trips; (c) Details concerning any injuries sustained by persons riding on the temporary seats; (d) Details of injuries sustained by others in same bus not riding the temporary seats. (Sec. 12, 80 Stat. 981; 49 U.S.C. 1651 note)

§ 293.92 Buses, marking emergency doors.

Any bus equipped with an emergency door shall have such door clearly marked in letters at least 1 inch in height with the words "Emergency Door" or "Emergency Exit." Emergency doors

(d) *Tire chains.* One set of tire chains for at least one driving wheel on each side, during the time when likely to encounter conditions requiring them, except that this requirement shall not apply to motor vehicles engaged in driveway-towaway operations if such motor vehicles are not operated when such conditions exist.

(e) [Reserved]

(f) *Warning devices for stopped vehicles.* One of the following combinations of warning devices:

(1) Three flares (liquid-burning pot torches) and three fuses and two red flags; or

(2) Three red electric lanterns and two red flags; or

(3) Three red emergency reflectors and two red flags.

(4) Flares (pot torches), fuses, oil lanterns, or any signal produced by a flame shall not be carried on any motor vehicle transporting explosives, class A or class B; any cargo tank motor vehicle used for the transportation of flammable liquids or flammable compressed gas whether loaded or empty; or any motor fuel using compressed gas as a motor fuel; but in lieu of such flares or fuses, three electric lanterns or three red emergency reflectors shall be carried.

(5) The protective devices used shall comply with the requirements given in paragraphs (g), (h), (i), (j), and (k) of this section.

(g) *Requirements for flares.* Flares (pot torches) shall be adequate and reliable and shall comply with the requirements contained in the SAE Recommended Practice: "Liquid-Burning Emergency Flares."

(h) *Requirements for red electric lanterns.* Red electric lanterns shall be adequate, reliable, equipped with a battery or batteries within each unit, and shall comply with the requirements contained in the SAE Recommended Practice: "Electric Emergency Lanterns."

(i) *Requirements for red emergency reflectors.* Each red emergency reflector, whether triangular or of other design, shall conform to the following requirements:

(1) *Reflecting surfaces required.* Each reflector shall either be composed of not less than two approximately parallel

¹ See Footnote 1 to § 293.24(c).

Subpart H—Emergency Equipment
§ 293.95 Emergency equipment on all power units.

On every bus, truck, tractor, and every driven vehicle in driveway-towaway operation, there shall be:

(a) *Fire extinguisher.* At least one fire extinguisher with physical characteristics and fire extinguishing ability equivalent to or better than fire extinguishers which qualify under Classification B of the Standards of Underwriters Laboratories, Inc., 207 East Ohio Street, Chicago, Illinois 60611, in effect on June 30, 1951. The extinguisher shall utilize an extinguishing agent which does not need protection from freezing and shall be properly filled and securely mounted in a bracket. The minimum size shall be 1½-quart carbon tetrachloride type, 4-pound carbon dioxide type, 4-pound dry chemical type, or extinguishers of other types having extinguishing capacity equivalent to any of these types. Two extinguishers may be carried to obtain the capacity required. It is further provided that a fire extinguisher marked and labeled as rated not less than 4 B:C under Standards of Underwriters Laboratories in effect on January 1, 1961, if equipped with a gauge or similar device to indicate whether or not the fire extinguisher is fully charged, or is designed and constructed so as to permit visual inspection to determine if it is fully charged may be used in lieu of the fire extinguishers specified in this subparagraph, whether they meet the size requirements or not if all other pertinent requirements herein are met. This requirement shall not apply to any bus having a seating capacity of eight or less persons or any driveway-towaway operation.

(b) [Reserved]

(c) *Spare fuses.* At least one spare fuse or other overload protective device, if the devices used are not of a reset type, for each kind and size used. In driveway-towaway operations, spares located on any one of the vehicles will be deemed adequate.

Each kit shall be provided with instructions for the use of the contents. The contents of the kits, whether required by Parts 290-297 of this subchapter or in addition thereto, either in number or kind, shall conform either to the requirements contained in Federal Specification GG-K-391(a) (Oct. 19, 1954), as amended March 3, 1959, or the standards as found in the Fifteenth Revision of the Pharmacopoeia of the United States and Supplement No. 2 thereof dated September 1, 1958, except that the 40-inch triangular bandage in the commercial type kit may be non-sterile and not compressed in the required manner if the package containing it clearly indicates that the contents are not sterile, and except that no specification type and scissor is required. Federal Specification GG-K-391(a) and amendments may be obtained from the Superintendent of Documents, Washington, D.C. 20402, at a cost of 15 cents per copy.

PART 294—RECORDING AND REPORTING OF ACCIDENTS

- Sec. 294.1 Accident reports confidential.
- 294.2 Definitions.
- 294.3 Accident Register.
- 294.4 Accident reporting.
- 294.5 Filing of accident reports of Forms MCS 50-B and MCS 50-I.
- 294.7 Immediate notice of fatal accidents.
- 294.8 Deaths occurring before filing report.
- 294.9 Notice of death after filing report.
- 294.10 Carrier to assist in investigation.
- 294.11 Supplies of accident report Forms MCS 50-B and MCS 50-I.
- 294.12 Instructions for preparing accident reports.

AUTHORITY: The provisions of this Part 294 issued under sec. 204, 49 Stat. 646, as amended, Sec. 220, 49 U.S.C. 820.

§ 294.1 Accident reports confidential.

Accident reports made by motor carriers in compliance with the regulations in this part shall be for the information of the Federal Highway Administration, and shall not be open to public inspection: *Provided however*, When the Federal Highway Administrator considers such action consistent with the public interest and necessary to the proper administration and enforcement of the provisions of Part II of the Interstate Commerce Act, or of orders, rules,

easily opened to an angle of 90° to 100° with the case and a substantial stop shall be provided at the angle of full opening; such stop shall not interfere with the smooth operation of the cover.

(5) *Method of hinging cover.* If made of metal, the cover shall be attached to the case by, at least, two substantial hinges or by a continuous piano-type hinge. If nonmetallic, the cover shall be attached by either a sliding or a hinged joint; if hinged, it shall be as prescribed for metallic construction.

(6) *Size of case.* The dimensions of the case shall be such as to permit the contents to be easily extracted and yet maintain the contents in a relatively fixed position.

(7) *Contents of kit.* The kit shall contain at least the contents specified, in not less than the quantities shown, in either of the two following types of kits:

A—UNIT TYPE KIT

- 4-inch bandage compress----- 1 package.
- 2-inch bandage compress----- 1 package.
- 1-inch adhesive compress----- 2 packages.
- 40-inch triangular bandage 1 package.
- with two safety pins.
- Burn ointment----- 1 package.
- Iodine applicator or applicator of other antiseptic solutions----- 1 package.
- of, at least, equivalent bacteriological properties.
- Wire or wood splint----- 1 package.
- Tourniquet ----- 1 package.

B—COMMERCIAL TYPE KIT

- 3-inch by 3-inch sterile gauze pads.
- Gauze bandages as follows (each package opened to be replaced by unopened package):
 - 1-inch by 10 yards----- 3 packages.
 - 2-inch by 10 yards----- 2 packages.
 - 3-inch by 10 yards----- 1 package.
 - ¾-inch adhesive compress----- Package of 24.
- 1-inch by 2½ yards adhesive tape.
- 40-inch triangular bandage with two safety pins.----- 1 package.
- Burn ointment----- 1-ounce tube.
- Iodine applicator or applicator of other antiseptic solution----- 1 package.
- of, at least, equivalent bacteriological properties.
- Wire or wood splint----- 1 package.
- Tourniquet ----- 1 package.
- Scissors ----- 1.

signed and constructed so that the reflectors may be readily extracted for use.

(7) *Certification.* Every red emergency reflector designed and constructed to comply with these requirements shall be plainly marked with the certification of the manufacturer that it complies therewith.

(j) *Requirements for fuses.* Each fuse shall be adequate, reliable, capable of burning at least 15 minutes, and shall comply with the specifications of the Bureau of Explosives, 30 Vesey Street, New York, N.Y. 10017, dated December 15, 1944, and be so marked.

(k) *Requirements for red flags.* Red flags shall be not less than 12 inches square, with standards adequate to maintain the flags in an upright position.

§ 293.96 Buses, additional emergency equipment.

On every bus, except buses engaged in driveway-towaway operations there shall be:

- (a) All items required by § 293.95, and in addition,
- (b) One hand axe, except for buses having a seating capacity of eight or less persons,
- (c) One first-aid kit complying with the following requirements:

(1) *Size of kit.* The kit shall be of heavy duty 10-unit type or larger, or have contents at least equivalent in quality and number to the contents of such a kit.

(2) *Material for case and cover.* The case and the cover shall be substantially constructed of sheet steel, wood, fiber, or other durable material. If made of sheet steel, the case and cover shall be of metal at least number 24 U.S. Gage (nominal).

(3) *Tightness of case.* The case and cover shall be so constructed, including corners, covers, and closure means, that it shall be reasonably dust and weather proof when the cover is in the closed position, or the kit shall be mounted in a protected location within the passenger compartment of the motor vehicle so as to be reasonably dust and weather proof.

(4) *Opening and stop for cover.* If made of sheet steel or other metals, the case shall be so designed and constructed that the cover will be capable of being

reflecting elements on each side, front and back, or be an equilateral triangle, with one point upward, with sides not less than 18 inches in length and not less than 2 inches in width, with reflecting surfaces on each leg of the triangle, front and back. The area within the sides of the triangle shall be open.

(2) *Reflecting surfaces, candlepower.* The aggregate candlepower output of all the reflecting elements or surfaces in one direction shall not be less than 12 when tested in a perpendicular position with observation at one-third degree when tested as specified for Class A reflex reflectors in the Photometric Test certificate: "Reflex Reflectors."

(3) *Reflecting surfaces, protection.* If the reflector or the reflecting elements are so designed or constructed that the reflecting surfaces would be adversely affected by dust, soot, or other foreign matter or contacts with other parts of the reflector or its container, then such reflecting surfaces shall be adequately sealed within the body of the reflector.

(4) *Reflecting surfaces to be perpendicular.* Every reflector shall be so constructed that, when the reflector is properly placed, every reflecting element or surface is in a plane perpendicular to the plane of the roadway surface. Reflectors which are collapsible shall be provided with means for locking the reflector elements or surfaces in the required position; such locking means shall be readily capable of adjustment without the use of tools or special equipment.

(5) *Reflectors, mechanical adequacy.* Every reflector shall be of such weight and dimensions as to remain stationary when subjected to c. 40-mile-per-hour wind when properly placed on any clean, dry, paved road surface. The reflector shall be so constructed as to withstand reasonable shocks without breakage.

(6) *Reflectors, incorporation in holding device.* Each set of reflectors and the reflecting elements or surfaces incorporated therein shall be adequately protected by enclosure in a box, rack, or other adequate container specially de-

¹ See footnote 1 to § 293.94(c).

and regulations issued thereunder, he may in his discretion, upon prior approval of an application of a Bureau of the Federal Highway Administration, allow such reports, or excerpts therefrom to be offered in evidence, (a) by attorneys in the employ of the Federal Highway Administration in a Federal agency proceeding, and (b) by attorneys in the employ of the Department of Transportation or by U.S. attorneys in a court proceeding instituted by or at the request of the Federal Highway Administration.

§ 294.2, Definitions.

(a) *Recordable accident.* Any occurrence in the interstate, foreign, or intrastate operations of a motor carrier subject to the Department of Transportation Act (sec. 6, 80 Stat. 937; 49 U.S.C. 1655(e)) which involves a motor vehicle, whether loaded or empty, and which results in the death or injury of a person, or in property damage to any and all vehicles, cargo, and other property to an extent of \$250 or more; except those occurrences which take place in boarding or alighting from stationary motor vehicles or in loading or unloading cargoes, unless explosives (or other dangerous articles as defined in Parts 171 to 190 of this chapter) or fire is involved. The term "recordable accidents" shall include, but is not limited to, the following:

- (1) The contact of a motor vehicle, vehicle part or vehicle accessory, or of the cargo of a motor vehicle with another vehicle, a person, or an animal or any inanimate object.
- (2) The overturn, running off the roadway, or rolling away from a parked position, by a motor vehicle.
- (3) The unintended separation of units of a combination vehicle.
- (4) Fire or explosion in or on a motor vehicle.
- (5) The shifting of cargo within or upon a motor vehicle resulting in damage to property other than the cargo itself.
- (6) The falling of cargo or of any person from a moving motor vehicle.
- (7) Escape of any injurious, flammable or contaminating solid, liquid or gas, or of radiation from the cargo or other contents of a motor vehicle.

paragraph (b) of this section, shall be retained in the carrier's files at least for three years following occurrence of any accident so recorded.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)
§ 294.4 Accident reporting.

(a) Every motor carrier, except private carriers of property, shall file a report prepared on the form prescribed in this section for such carrier's use, for each recordable accident (as defined in § 294.2(a)) which occurs in the operations of such carrier.

(b) Reports of accidents involving passenger-carrying vehicles: A detailed report of every recordable accident involving a bus operated by him or it shall be prepared by the motor carrier on Form MCS 50-B.

(c) Reporting of accidents involving property-carrying vehicles: A detailed report of every recordable accident involving a motor vehicle other than a bus operated by him or it shall be prepared by the motor carrier on Form MCS 50-T.

§ 294.5 Filing of accident reports of Forms MCS 50-B (formerly BMC 50-B) and MCS 50-T.

The original and one copy of each accident report on Forms MCS 50-B and MCS 50-T, prepared in compliance with this section, shall be filed by the motor carrier as soon as possible, and in every instance within 15 days after occurrence of the accident, with the Regional Federal Highway Administrator, Bureau of Motor Carrier Safety, Federal Highway Administration, listed in § 280.40 of this subchapter for the region in which the motor carrier has his or its principal place of business: *Provided*, That motor carriers may continue to use forms BMC 50-B and BMC 50-T prescribed by the Interstate Commerce Commission until further order.

§ 294.7 Immediate notice of fatal accidents.

Whenever a reportable accident results in the death of any person at the time of the accident or within 24 hours thereafter, the motor carrier, whether domiciled in the United States or elsewhere, shall immediately transmit notice of such

accident by telegraph or telephone to the proper Regional Federal Highway Administrator as indicated in § 294.5. Such notices shall include the following information: The date, time, and exact location of the accident; the number of persons killed and the number injured; and the name and address of the motor carrier.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)
§ 294.8 Deaths occurring before filing report.

In addition to the requirements of § 294.7, every death shall be reported on Form MCS 50-B or Form MCS 50-T whether it occurs at the time of the accident or subsequently if such deaths occur prior to the filing of said accident report form.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)
§ 294.9 Notice of death after filing report.

Whenever any accident results in the death of any person after the motor carrier has filed his or its report of the accident on Form MCS 50-B or Form MCS 50-T, notice of such death shall be given in writing, as soon as possible after such death becomes known to the motor carrier, to the proper Regional Federal Highway Administrator as indicated in § 294.5. Such notice shall include the following information: The date and location of the accident; the name and age of the deceased; and the name and address of the motor carrier.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)
§ 294.10 Carrier to assist in investigation.

Every motor carrier shall make available to the duly authorized representative or representatives of the Federal Highway Administration all records and information which in any way pertain to any reportable accident, and shall afford all reasonable assistance in the investigation of any such accident.

(Sec. 12, 80 Stat. 931; 49 U.S.C. 1651 note)
§ 294.11 Supplies of accident report Forms MCS 50-B and MCS 50-T.

For the purpose of compliance with the regulations in this part, every common and contract motor carrier shall keep on hand an adequate supply of

Form MCS 50-B and/or Form MCS 50-T to enable prompt reporting of accidents.¹

§ 294.12 Instructions for preparing accident reports.

Reports of accidents on Form MCS 50-B and Form MCS 50-T shall be prepared in accordance with the following instructions:

General: Every applicable item, and the detachable stub, must be filled in as fully and as accurately as information accessible to the motor carrier at the time of filing the report will permit.

Item 1: Enter name of legal entity.

Item 2: Check "Yes" if you have been notified that your revenues place you in Class I. Otherwise check "No."

Item 3: Enter the address of your principal place of business.

Item 4: Always make two entries under this item: First, show whether the operation involved is common, contract, or exempt. Second, enter your docket (MC) number if you have one. Otherwise enter "none."

Item 5: Enter all three names, State, county, and city or town in or near which accident occurred.

Item 6: Under this item give information fixing the accident location as nearly exactly as possible. This is especially important when highway design or condition, or some other local feature was involved in any way.

Item 7: Indicate the commodities which compose the vehicle's cargo, and not merely the class of such cargo. For example: enter "gasoline" or "No. 2 fuel oil" rather than "petroleum products."

Item 8 (b), on MCS 50-T only: If a second driver was on the vehicle, whether he is called a relief driver, a helper driver, or by some other designation, check "Yes."

Item 9, on MCS 50-T and 18 on MCS 50-B: If the vehicle, or any unit of a combination of vehicles, was itself the cargo being transported, by the driveway-towaway method, check "Yes"; otherwise check "No."

Item 10(a), on MCS 50-T only: Check "Yes" only if the vehicle was equipped with a berth meeting the specifications set forth in the Motor Carrier Safety Regulations.

Item 11(b), on MCS 50-T only: If the power unit was owned by the driver whose name is reported under item 20, check "Yes." If it was owned by the person riding as relief driver at the time of the accident, write in the words "relief driver" and check "Yes."

¹ Supplies of these forms may be obtained from the Superintendent of Documents, Washington, D.C. 20402, at prevailing cost.

Item 20: Enter the name and home address of the person at the wheel when the accident occurred, or who last drove the vehicle if it was stopped or parked without a driver at the time of the accident.

Items 21 through 30: These items are to be filled in whether the driver was operating a company-owned vehicle, a vehicle which he himself owned and leased to the carrier, or a vehicle owned by a third party and leased to the carrier.

Item 23: Accuracy in entering the Social Security number is very important. Error in entering any one of the nine digits which compose this number, or the omission of a digit, will render the number useless.

Items 28 and 29: If the driver has made use of the sleeper-berth provisions for breaking his off-duty time into two periods totaling 8 hours, write in the words "sleeper berth" in addition to entering the hours on duty and hours driving since last period of 8 consecutive hours off duty.

Items 33 and 34: If another vehicle involved in the accident was operated by a motor carrier, regardless of ownership, the name and address of that motor carrier should be given.

Item 37: Enter the best available estimate of the amount of damage (in dollars) to each vehicle or unit of a combination of vehicles involved in the accident. Make this entry in every case, whether or not it is also reported that the vehicle or unit was a total loss.

If damage to a vehicle or unit is so extensive that it is not practical to repair it, check the appropriate space to indicate that it was a total loss.

If any vehicle or unit involved in the accident was not damaged, write "none" in the appropriate space.

Items 38, 39, and 40: For each person either killed or injured in the accident, enter name, address and age, if known, or approximate age, and check all applicable boxes. The number of checks necessary to give full information will vary for different persons. For example: John Smith may have been affected by carbon monoxide and also burned, the degree of his injuries being serious. If he were driver in vehicle No. 1, the total number of check marks required to report these facts would be five. On the other hand, Mary Brown may have been struck and killed instantly as she walked across the street. Two boxes only need be checked "killed outright" and "pedestrian."

If no one was killed or injured, enter the word "none" under item 38.

Item 42: Check each defect known to exist before the accident, brought to light by the accident itself, or discovered by investigation following the accident. Do not show breakage of sound parts which resulted from the accident. Include defects which

caused the vehicle to be stopped, if accident occurred while it was so stopped.

Item 43: If opposing lanes of travel are separated by a parkway or other strip, check the word "Divided" in addition to showing the total number of lanes.

Item 46: Whenever the driver survives the accident and is able to make a statement, his own account of the accident is to be entered here. The account obtained from the driver for this purpose must be sufficiently complete and detailed to convey an understanding of his version of the accident. This account should be continued on an extra sheet of paper if more space is needed.

Item 47: An account of the accident containing the most reliable information to which the motor carrier has access at the time of reporting, sufficiently detailed and complete to convey an understanding of his version of the accident, shall be entered under this item, and shall be signed by a responsible official of the motor carrier. This account should be continued on an extra sheet of paper if more space is needed.

Diagram. In addition, a diagram showing pertinent highway information such as the approximate angle at which roads intersect, the width of pavement and of shoulders, etc., the course of travel of each vehicle involved, and the point at which collision occurred, should be prepared in those cases in which such a diagram would clarify the presentation of the facts.

PART 295—HOURS OF SERVICE OF DRIVERS

Sec. 295.1 Compliance with, and knowledge of regulations required.

295.2 Definitions.

295.3 Maximum driving and on-duty time.

295.6 Sleeper berth, occupation.

295.7 Travel time.

295.8 Driver's daily log.

295.10 Adverse driving conditions.

295.11 Emergency conditions.

295.12 Relief from regulations.

295.13 Drivers declared "Out of Service."

AUTHORITY: The provisions of this Part 295 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, unless otherwise noted.

§ 295.1 Compliance with, and knowledge of regulations required.

Every motor carrier and its officers, drivers, agents, employees, and representatives shall comply with the following regulations, and every motor carrier shall require that its officers, drivers, agents, employees, and representatives be conversant with this part.

§ 295.2 Definitions.

As used in this part, the following words and terms are construed to mean:

(a) *On-duty time.* All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. The term "On-duty" time shall include:

(1) All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.

(2) All time inspecting equipment as required by §§ 292.7 and 292.8 or otherwise inspecting, servicing, or conditioning any motor vehicle at any time.

(3) All driving time as defined in paragraph (b) of this section.

(4) All time, other than driving time, in or upon any motor vehicle except time spent resting in a sleeper berth as defined in paragraph (g) of this section;

(5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;

(6) All time spent performing the driver requirements of §§ 292.40 and 292.41 relating to accidents;

(7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

(8) Performing any other work in the capacity of, or in the employ or service of, a common, contract or private motor carrier.

(9) In the case of specially trained drivers of specially constructed oil well servicing vehicles, on-duty time shall not include waiting time at a natural gas or oil well site: *Provided*, That all such time shall be fully and accurately accounted for in records to be maintained by the motor carrier. Such records shall be made available upon request of the Federal Highway Administration.

(b) *Driving time.* The term "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation. All stops made in

(c) *Entries made by driver only.* Except that the name and principal place of business address of the carrier may be printed, all entries shall be made by the driver in his own handwriting.

(d) *Date.* Enter month, day, and year for each calendar day on or off duty.

(e) *Total mileage.* Total mileage entered shall be that mileage traveled while driving, on duty but not driving, and resting in a sleeper berth, as defined in § 295.2(g) during the day covered by the log. Mileage while driving shall be shown separately.

(f) *Vehicle identification.* The carrier's vehicle number or numbers or the State and license number or numbers of each vehicle or unit of a combination operated during the calendar day shall be entered.

(g) *Name of carrier.* The name or names of the carrier or carriers shall be that or those for which duty is performed. When work is performed for more than one carrier on the same calendar day, the beginning and finishing time, showing a.m. or p.m., worked for each carrier shall be shown after each shall show the name of the carrier performing the transportation.

(h) *Driver's signature.* The driver shall certify to the correctness of the log by signing his first name and last name in full and his middle name or middle initial, if any. Below the driver's signature he shall list the initials and last name of each co-driver.

(i) *Home terminal.* The driver's home terminal address shown shall be that at which he normally reports for duty.

(j) *Time base to be used.* The log shall be prepared, maintained, and submitted, using the time standard in effect at the driver's home terminal, for a 24-hour calendar day beginning at midnight. *Provided, however,* That if written notification is given by a carrier to the Regional Federal Highway Administrator of the Bureau of Motor Carrier Safety for the region in which the carrier's principal office is located, drivers of any named terminal or terminals of the carrier may prepare logs for a 24-hour period beginning at noon of 1 day and ending at noon of the next succeeding day. For drivers preparing logs on a noon-to-

the stringing and picking up of pipe used in pipelines, and servicing of the field operators of the natural gas and oil industry, any period of 8 consecutive days may end with the beginning of any off-duty period of 24 or more successive hours.

(e) In the instance of a driver who drives motor vehicles solely within the State of Alaska such driver may be permitted to drive not more than 15 hours following 8 consecutive hours off duty and may not be permitted to drive after having been on duty 20 hours following 8 consecutive hours off duty. Such driver shall not be on duty more than 70 hours in any period of 7 consecutive days: *Provided,* That carriers operating every day in a week may permit drivers to remain on duty for a total of not more than 80 hours in any period of 8 consecutive days.

§ 295.6 *Sleeper berth, occupation.*
No sleeper berth shall be occupied by more than one person at any time.

§ 295.7 *Travel time.*

When a driver at the direction of a motor carrier is traveling, but not driving or assuming any other responsibility to the carrier, such time shall be counted as on-duty, time unless the driver is afforded at least 8 consecutive hours off duty when arriving at destination, in which case he shall be considered off duty for the entire period.

§ 295.8 *Driver's daily log.*

(a) Except as provided in paragraph (b) of this section, every motor carrier shall require that a driver's daily log, Form MCS-59 set forth below, shall be made in duplicate by every driver used by him or it and every driver who operates a motor vehicle shall make such a log. Failure to make logs, failure to make required entries therein, falsification of entries, or failure to preserve logs shall make both the driver and the carrier liable to prosecution. Driver's logs shall be prepared and retained in accordance with the provisions of paragraphs (b) through (s) of this section.

(b) *Entries to be current.* Drivers shall keep the log current to the time of the last change of duty status.

after having been on duty 15 hours following 8 consecutive hours off duty: *Provided, however,* That drivers using sleeper-berth equipment, or off duty at a natural gas or oil well location, may cumulate the aforementioned total of at least 8 hours off duty in two periods of at least 2 hours each, resting in a sleeper berth, as defined in § 295.2(g), or resting while off duty in other sleeping accommodations at a natural gas or oil well location.

(b) Except as provided in paragraph (e) of this section, no motor carrier shall permit or require any driver used by it to be on duty, nor shall any such driver be on duty, more than 60 hours in any 7 consecutive days as defined in § 295.2(c) regardless of the number of motor carriers using the driver's services. *Provided, however,* That carriers operating vehicles every day in the week may permit drivers to remain on duty for a total of not more than 70 hours in any period of 8 consecutive days. *Provided further, however,* That the limitations of this paragraph shall not apply with respect to any driver-salesman whose total driving time does not exceed 40 hours in any 7 consecutive days.

(c) The provisions of paragraph (a) of this section shall not apply with respect to drivers used wholly in driving motor vehicles having not more than 2 axles and whose gross weight, as defined in § 290.10, does not exceed 10,000 pounds, unless such vehicle is used to transport passengers or explosives or other dangerous articles of such type and in such quantity as to require the vehicle to be specifically marked or placarded under the Explosives and Other Dangerous Articles Regulations, § 177.823 of this chapter, or when operated without cargo under conditions which require the vehicle to be so marked or placarded under the cited regulations: *Provided further, however,* That this section shall not apply with respect to drivers of motor vehicles engaged solely in making deliveries for retail stores during the period from December 10 to December 26, both inclusive, of each year.

(d) In the instance of drivers of motor vehicles used exclusively in the transportation of oilfield equipment, including

any one village, town, or city, may be computed as one.

(c) *Seven consecutive days.* The term "7 consecutive days" means the period of 7 consecutive days beginning at 12:01 a.m. on any day.

(d) *Eight consecutive days.* The term "8 consecutive days" means the period of 8 consecutive days beginning at 12:01 a.m. on any day.

(e) *Twenty-four consecutive hours.* The term "24 consecutive hours" means any such periods starting at the time the driver reports for duty as defined in paragraph (a) of this section.

(f) *Regularly employed driver.* The term "regularly employed driver" means a driver who in any period of 7 consecutive days is employed or used as a driver solely by a single motor carrier.

(g) *Sleeper berth.* The term "sleeper berth" means a berth conforming to the requirements of § 293.76 of this subchapter.

(h) *Driver-salesman.* The term "driver-salesman" means any employee who is employed solely as such by a private carrier of property by motor vehicle, who is engaged both in selling goods, services, or the use of goods, and in delivering by motor vehicle the goods sold or provided or upon which the services are performed, who does so entirely within a radius of 100 miles of the point at which he reports for duty, who devotes not more than 50 percent of his hours on duty to driving time. The term "selling goods" for purposes of this subsection shall include in all cases solicitation or obtaining of orders or new accounts, and may also include other selling or merchandising activities designed to retain the customer or to increase the sale of goods or services, in addition to solicitation or obtaining of orders or new accounts.

§ 295.3 *Maximum driving and on-duty time.*

(a) Except as provided in paragraphs (c) and (e) of this section and in § 295.10, no motor carrier shall permit or require any driver used by it to drive nor shall any such driver drive more than 10 hours following 8 consecutive hours off duty or drive for any period

noon basis, the term 7 or 8 consecutive days means the period of 7 or 8 consecutive days beginning at 12:01 p.m., on any day.

(k) *Line 1, Off duty.* Except for time spent resting in a sleeper berth, a continuous line shall be drawn between the appropriate time markers to record the period or periods of time when the driver is not on duty, not required to be in readiness to work, or is not under any responsibility for performing work.

(l) *Line 2, Sleeper berth.* A continuous line shall be drawn between the appropriate time markers to record the period or periods of time off duty resting in a sleeper berth, as defined in § 295.2(g).

(m) *Line 3, Driving.* A continuous line shall be drawn between the appropriate time markers to record the period or periods of time on duty driving a motor vehicle, as defined in § 295.2(b).

(n) *Line 4, On duty not driving.* A continuous line shall be drawn between the appropriate time markers to record the period or periods of time on duty not driving specified in § 295.2(a) (1), (2), (4), (5), (6), (7), (8), or any other time on duty but not driving as defined by §§ 295.2(a) and 295.7.

(o) *Remarks.* The appropriate time marker and the name of the city, town, or village, with State abbreviation, or place at or near which each change of duty occurs, shall be recorded, such as the place of reporting for work, starting to drive, on duty not driving, and where released from work. Explain the reason resulting in hours exceeding those permitted by § 295.3. Show the transportation performed each day by entering a shipping document number or numbers, or name of a shipper and commodity.

(p) *Total hours.* The total hours in each duty status: Off duty other than in a sleeper berth; off duty in a sleeper berth; driving; and on duty not driving shall be entered, the total of which entries shall equal 24 hours.

(q) *Origin and destination.* The name of the place where a trip begins and the final destination or farthest turn-around point shall be shown at the bottom of the log. If the trip requires more than 1 calendar day, the log for each day shall show the origin and final destination. If a driver departs from and returns to the same place on any day, the destination shall be indicated by entering the farthest point reached, followed by the words "and return".

(r) *Filing driver's log.* The driver shall forward each day the original log to his home terminal or to the motor carrier's principal place of business. When the services of a driver are used by more than one carrier during any calendar day, the driver shall furnish each such carrier a copy of the log containing full and complete entries including: The entry of all duty time for the entire day; the name of each such carrier served by the driver that day; and the beginning and finishing time, showing a.m. or p.m., worked for each carrier. Motor carriers or intermittently shall obtain from the driver a signed statement giving the total time on duty during the immediately preceding 7 days and time at which such driver was last relieved from duty prior to beginning work for such carrier.

(s) *Preservation of driver's log.* Daily logs for each calendar month may be retained at the driver's home terminal until the 20th day of the succeeding calendar month and shall then be forwarded to the carrier's principal place of business where they shall be retained for 12 months from date of receipt: *Provided, however,* That a motor carrier may upon written request to and upon receiving consent from the Director, Bureau of Motor Carrier Safety, forward and retain such logs at such regional or terminal offices as are proposed by the carrier and approved by the Director. The driver shall retain a copy of each daily log for 30 days which shall be in his possession while on duty.

(t) *Driver's log, when not required.* The requirements of this section shall not apply: (1) To any regularly employed driver who drives wholly within a radius of 50 miles of the garage or terminal at which he reports for work; *Provided,* That the motor carrier employing such driver maintains and retains for period of 1 year accurate and true records showing the total number of hours the driver is on duty per day and the time at which the driver reports for and is released from duty each day; or (2) to drivers of motor vehicles having not more

than 2 axles and whose gross weight, as defined in § 290.10, does not exceed 10,000 pounds, unless such vehicle is used to transport passengers or explosives or other dangerous articles of such type and in quantity as to require the vehicle to be specifically marked or placarded under the Explosives and Other Dangerous Articles Regulations, § 177.823 of this chapter, or when operated without cargo under conditions which require the vehicle to be so marked or placarded under the cited regulations.

have been completed without such violation.

§ 295.12 Relief from regulations.
These regulations shall not apply to any carrier subject thereto when transporting passengers or property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster.

§ 295.13 Drivers declared "Out of Service".

Every field safety specialist, safety supervisor, mechanical engineer, regional safety officer, or safety compliance investigator of the Bureau of Motor Carrier Safety, Federal Highway Administration, is authorized to notify and declare "Out of Service" with the prescribed Form MCS 65, any driver whom he finds at the time and place of examination to have been on duty or to have driven or operated immediately prior to such examination, longer than the maximum period permitted by § 295.3, § 295.10, or § 295.11. No motor carrier shall permit or require a driver who has been notified and declared "Out of Service" to drive or operate, any motor vehicle unless and until such time as he has met the requirements of the specified sections.

§ 295.10 Adverse driving conditions.

In case of snow, sleet, fog, or other adverse weather conditions, or in case the highways are covered with snow or ice, or presence of unusual road and traffic conditions, a driver may be permitted or required to drive or operate a motor vehicle, in order to complete his run, for not more than 12 hours in the aggregate following 8 consecutive hours off duty, instead of the limit of 10 hours driving provided in § 295.3: *Provided, however,* That no driving shall be permitted or performed after the driver has been on duty 15 hours following 8 consecutive hours off duty. *It is further provided,* That in the instance of a driver who drives motor vehicles solely within the State of Alaska such driver under the aforementioned adverse driving conditions may be permitted to drive or operate a motor vehicle in order to complete his run, which shall be followed by 8 consecutive hours off duty before further driving.

§ 295.11 Emergency conditions.

In case of any emergency, a driver may complete his run without being in violation of the provisions of these regulations, if such run could reasonably

the fact that the vehicle and its cargo were under the care and custody of the carrier's dispatcher during this time, and then started driving.

At 11:00 p.m., the vehicle broke down near Hartford, Conn. He placed warning devices upon the highway (§ 292.26) while the co-driver telephoned the carrier's Hartford shop to ask that a shop man be sent to repair the vehicle. He then waited until the man had completed the repairs. He made entries upon his log to 11:30 p.m., showing this stop as "on duty not driving" (§ 295.2(a)(7)) and entered the sleeper berth for the balance of the calendar day.

The name of the co-driver for this trip is shown directly below the driver's signature (§ 295.5(h)). Additionally, the total miles traveled during the day and the actual miles spent driving are shown on the appropriate lines near the top of the form (§ 295.8(e)).

The total hours for each line show 7 hours off duty; 5 hours in sleeper berth; 8 hours driving and 4 hours on duty (not driving) for the day covered by the log. The sum of these hours shown under the "Total Hours" equals 24 hours.

Under "Remarks" a check on time markers and entries will show that the driver reported for work at Richmond, Va., at 6 a.m., and was on duty (not driving) until he started to drive at 7:30 a.m. The time spent driving is shown on line 3 and the time spent in the sleeper berth on line 2. All stops are shown on line 4. In the lower left hand corner, the driver shows the transportation performed by entering the shipping document numbers (§ 295.8(c)).

As the destination of the driver on this trip is Boston, Mass., he enters the original starting point and the final destination on the appropriate line near the bottom of the form, thus: "From: Richmond, Va., To: Boston, Mass." The original starting point and final destination are to be shown on the log for each day throughout the trip. If a driver departs from and returns to the same place on any day, the "destination or turn-around point" shall be the farthest point reached before the driver begins his return trip.

Form MCS 59 shall be used by those drivers who prepare daily logs on a noon-to-noon basis, instead of a calendar day, or mid-night-to-midnight basis, except that the word "noon" will be shown at the point where the word "midnight" now appears and the word "midnight" shall appear where the word "noon" now appears. The word "calendar" which appears in parenthesis under the phrase "driver's daily log" shall be blocked out. The driver shall enter the date by showing on each log, both dates covered by the noon-to-noon period.

Note: Driver's Daily Log (Form MCS 59).
The Federal Highway Administration will not provide supplies of the log. The log may be incorporated as a part of any daily form used by a carrier, provided it is so ruled that the log appears distinct and separate from other portions of such form. In reproducing the log, dimensions of not less than 5 1/4 x 7 1/2 inches shall be used. Stocks of logs in the possession of carriers or their suppliers as of the effective date of these regulations may be used, provided the information required by these regulations is entered thereon.

This executed specimen document shows how a driver is to prepare a daily log. It covers a driver's activities on the first day of a trip in which he left Richmond, Va., with a shipment of miscellaneous freight to be delivered in Newark, N.J., and Boston, Mass.

The driver in this instance reported for duty with his co-driver at the carrier's Richmond terminal at 6 a.m., at which time he was given papers for the shipments and instructions for making the trip. The vehicle combination was being loaded at the time he reported for duty and the driver attended the vehicle until the loading was completed. He then made a pretrip inspection of the vehicle (§§ 292.7 and 292.8), made entries upon his driver's log to 7:30 a.m. as "on duty not driving" and started driving at that time (§§ 295.2(a)(1) and (2)). At 9 a.m., in Fredericksburg, Va., he was involved in an accident with an automobile which was damaged to the extent of \$250. He remained at the accident scene for one-half hour while the police conducted their investigation. He obtained information relating to the accident (§ 292.40) and performed an inspection of the vehicle (§ 295.6). He then made entries upon his log to 9:30 a.m., showing this stop as "on duty not driving" and started driving at that time (§ 295.2(a)(6)). At 12 noon he stopped near Baltimore, Md., at a truck stop for gas and a meal. He then made entries upon his log to 1 p.m., showing this stop as "on duty not driving." He then entered the sleeper berth while his co-driver assumed the driving duties. At 5:30 p.m., he arrived at the carrier's Newark, N.J., terminal and reported to the dispatcher. He gave to the dispatcher his statement concerning the accident and other information needed to complete a report to the Federal Highway Administration. He was told by the dispatcher that help would not have the Newark bound freight unloaded until 7 p.m. He then walked to a nearby diner, leaving the vehicle at the terminal, ate a meal and returned at the specified time. He then made entries upon his log to 7 p.m., showing 5:30 p.m. to 6 p.m. as "on duty not driving" (§ 295.2(a)(6)) and showing 6 p.m. to 7 p.m. as "off duty" due to

PART 296—INSPECTION AND MAINTENANCE

- Sec. 296.1 Compliance.
 296.2 Inspection and maintenance.
 296.3 Lubrication.
 296.4 Unsafe operations forbidden.
 296.5 Inspection of motor vehicles in operation.
 296.6 Damaged vehicles, inspection.
 296.7 Vehicle condition report by driver.
 296.8 Driveaway-towaway operations, inspections.
 296.9 Recommended practices and forms.

AUTHORITY: The provisions of this Part 296 issued under sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304, unless otherwise noted.

§ 296.1 Compliance.

Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with the inspection or maintenance of motor vehicles, shall comply and be conversant with the requirements of this part.

§ 296.2 Inspection and maintenance.

Every motor carrier shall systematically inspect and maintain, or cause to be systematically maintained, all motor vehicles subject to its control, and the accessories required by Part 293 of this subchapter, to be mounted thereon, to insure that such motor vehicles and accessories are in safe and proper operating condition. Such inspections, for buses, shall include a test at least once every 90 days of all push-out windows and emergency doors to determine that they are operating properly and that the windows comply with the requirements of Subpart D of Part 293 of these regulations. A systematic inspection and maintenance record shall be maintained for each motor vehicle controlled by a motor carrier for the period during which such vehicle is subject to the motor carrier's control. Such records shall include, at least: (a) An identification of the vehicle including make, model, serial number, and number of tires, their size, and number of ply; (b) a record of inspection and repairs indicating their date and nature; (c) a lubrication record; (d) a systematic means for indicating for each vehicle the nature and due date of the various inspection and maintenance operations to be performed; (e)

if leased, or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the motor vehicle. (Recommended procedure and forms set forth in § 296.9.)

§ 296.3 Lubrication.

Every motor carrier shall institute such procedures as may be necessary to insure that motor vehicles are properly lubricated, that proper action is taken to correct oil and grease leaks; that undue accumulations of grease and oil are investigated, removed, and the cause thereof corrected.

§ 296.4 Unsafe operations forbidden.

No motor carrier shall permit or require a driver to drive any motor vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle nor shall any driver drive any motor vehicle which by reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause an accident or a breakdown of the vehicle. If while any motor vehicle is being operated on a highway, it is discovered to be in such unsafe condition, it shall be continued in operation only to the nearest place where repairs can safely be effected, and even such operations shall be conducted only if it be less hazardous to the public than permitting the vehicle to remain on the highway.

§ 296.5 Inspection of motor vehicles in operation.

(a) *Personnel authorized to perform inspections.* Every field safety specialist, mechanical engineer, safety supervisor, regional safety officer, and safety compliance investigator employed in the Bureau of Motor Carrier Safety, Federal Highway Administration, is authorized and hereby ordered, to enter upon and perform inspections of motor carriers' vehicles in operation.

(b) *Prescribed inspection report.* Form MCS 63, Driver-Equipment Compliance Check shall be used to record findings from motor vehicles selected for final inspection by authorized employees.

(c) *Motor vehicles declared "out of service."* (1) Authorized employees shall

declare and mark "out of service" any motor vehicle which by reason of its mechanical condition or loading is so imminently hazardous to operate as to be likely to cause an accident or a breakdown. Form MCS 64, "Out of Service Vehicle" sticker, shall be used to mark vehicles "out of service."

(2) No motor carrier shall require or permit any person to operate nor shall any person operate any motor vehicle declared and marked, "out of service" until all repairs required by the "out of service notice" on Form MCS 63 have been satisfactorily completed. The term operate as used in this section shall include towing the vehicle; *Provided, however,* That vehicles marked "out of service" may be towed away by means of a vehicle using a crane or hoist; *And provided further,* That the vehicle combination consisting of the emergency towing vehicle and the "out of service" vehicle meets the performance requirements of § 293.52.

(3) No person shall remove the "Out of Service Vehicle" sticker from any motor vehicle prior to completion of all repairs required by the "out of service notice" on Form MCS 63.

(4) The person or persons completing the repairs required by the "out of service notice" shall sign the "Certification of Repairman" in accordance with the terms prescribed on Form MCS 63, entering the name of his shop or garage and the date and time the required repairs were completed. If the driver completes the required repairs, he shall sign and complete the "Certification of Repairman."

(d) *Motor Carrier's disposition of Form MCS 63.* (1) The driver of any motor vehicle receiving a Form MCS 63 shall deliver such MCS 63 to the motor carrier operating the vehicle upon his arrival at the next terminal or facility of the motor carrier, if such arrival occurs within twenty-four (24) hours. If the driver does not arrive at a terminal or facility of the motor carrier operating the vehicle within twenty-four (24) hours he shall immediately mail the Form MCS 63 to the motor carrier; *Provided, however,* That for operating convenience, motor carriers may designate any shop, terminal, facility or person to which it may instruct its drivers to

deliver or forward Form MCS 63: *Provided further, however,* That it shall be the sole responsibility of the motor carrier that Form MCS 63 is returned to the Federal Highway Administration, in accordance with the terms prescribed thereon and in subparagraphs (2) and (3) of this paragraph. A driver, if himself a motor carrier, shall return Form MCS 63 to the Federal Highway Administration, in accordance with the terms prescribed thereon and in subparagraphs (2) and (3) of this paragraph.

(2) Motor carriers shall carefully examine Forms MCS 63. Any and all violations or mechanical defects noted thereon shall be corrected. To the extent drivers are shown not to be in compliance with the Motor Carrier Safety Regulations, appropriate corrective action shall be taken by the motor carrier.

(3) Motor carriers shall complete the "Motor Carrier Certification of Action Taken" on Form MCS 63 in accordance with the terms prescribed thereon. Motor carriers shall return Forms MCS 63 to the Regional Safety Officer of the Bureau of Motor Carrier Safety, Federal Highway Administration, at the address indicated upon Form MCS 63 within fifteen (15) days following the date of the vehicle inspection.

§ 296.6 Damaged vehicles, inspection.

No motor carrier shall permit or require a driver to drive nor shall any driver drive a motor vehicle which has been damaged in an accident or by other cause until inspection has been made by a person qualified to ascertain the nature and extent of the damage and the relationship of such damage to the safe operation of the motor vehicle, nor shall such motor vehicle be operated until such person has determined it to be in safe operating condition.

§ 296.7 Vehicle condition report by driver.

Except as provided for driveaway-towaway operations in § 296.8, every motor carrier operating more than one motor vehicle shall require its drivers to report and every driver shall prepare such a report in writing at the completion of his day's work or tour of duty, which re-

(b) *Inspection and maintenance records forms.* (1) Section 296.2 requires that motor carriers maintain systematic inspection and maintenance records but the regulations do not require any particular type of form of records. As a convenient means for providing the systematic inspection and maintenance records required by § 296.2, the following forms are suggested. Other systems recommended by the vehicle manufacturers are suggested as alternative methods.

(2) It is recommended that a card-board check sheet for each inspection period for each vehicle be placed at a convenient point in the garage. Under the suggested system, when the four 1,000-mile inspections have been completed, the mechanic will know that he should perform the 5,000-mile inspection in accordance with the 5,000-mile inspection card. These forms, especially the mileage intervals, are suitable for the average over-the-road operator but changes may be made to adapt them to the individual operation. The items listed may be too numerous for some operations and in such cases, carriers may select items applicable to their own operations. Carriers may alter the recommended mileage figures to suit their needs or inspection periods may be determined on other than a mileage basis such as time or fuel consumption. The fundamental requirement is that there be a systematic inspection and maintenance system.

(Name of carrier)

REPORT AFTER TRIP

Mileage reading on speedometer (insert)	Driver's report	Mechanic's report
Before starting engine		
Oil added, insert number of quarts		
Water		
Gasoline, if added, insert number of gallons		
Brake lines to trailers		
Electric lines to trailers		
Drive line		
Tires and wheels		
Coil springs		
Body and load		
Glass		
Emergency equipment		
Fire extinguishers		
Torches, lanterns, or reflectors		
Fuses		
Fluorescent lights		
Fuses		
First-aid kit (buses)		
Axle (buses)		
After starting engine (out of cab):		
Fuel system		
Cooling system		
Engine		
Leaks		
Lights		
Head		
Tail		
Stop		
Clearance and marker		
Reflectors		
After starting engine (in cab):		
Oil pressure		
Ammeter		
Horn		
Windshield wipers		
Parking brakes		
Clutch		
Transmission		
Rear vision mirrors		
Steering		
Service brakes		
Speedometer		
Other items requiring attention		

(Driver's name)
 Drivers should (✓) items which are satisfactory and (X) items which are not, and explain defects next to the X or if there is insufficient room, at bottom of the form. Items which are marked (X) by the driver must show a (✓) with mechanic's initials indicating correction before continuance of operation and a short explanation of the repairs completed either next to the ✓ or if there is insufficient room, at bottom of form.

port shall list any defect or deficiency of the motor vehicle discovered by said driver or reported to him as would be likely to affect the safety of operation of the motor vehicle or result in its mechanical breakdown or shall indicate that no such defects or deficiencies were discovered by or reported to him. Such reports shall be carefully examined, the defects reported thereon shall be checked and the report shall be retained by the motor carrier for a period of at least 3 months.

§ 296.8 Driveaway-towaway operations, inspections.

Every motor carrier, with respect to motor vehicles engaged in driveaway-towaway operations, shall comply with this section in addition to §§ 296.1 to 296.7, inclusive, except that the driver's "Vehicle Condition Report" required by § 296.7 and the maintenance records required by § 296.2 shall not be required for any vehicle which is part of the shipment being delivered. Before the beginning of any driveaway-towaway operation of motor vehicles in combination, the motor carrier shall make a careful inspection and test to ascertain that the tow-bar or saddle-mount connections are properly secured to the towed and towing vehicles, that they function adequately without cramping or binding of any of the parts, and that the towed motor vehicle follows substantially in the path of the towing vehicle without whipping or swerving. Every motor carrier shall maintain practices to insure

§ 296.9 Recommended practices and forms.

The following practices and forms are recommended to motor carriers for consideration as one means of establishing the inspection and maintenance practices which are required by §§ 296.2 to 296.8.

(a) *Report of vehicle condition.* As a convenient means of providing for the report required by § 296.7, the "Driver's Vehicle Condition Report" at the end of this paragraph is suggested. The items are arranged in a logical order of inspection. While the regulations do not require a written report of the inspection prior to driving, the form may be adapted for such a report by duplicating the text of the following form and using an appropriate heading. Changes may be made to suit the particular carrier's operations, such as by providing for the recording of more than one inspection on a single form.

DRIVER'S VEHICLE CONDITION REPORT

Name of motor carrier.....
 Company vehicle No. (Date)

PART 297—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES BY MOTOR VEHICLES¹

batteries, or other equipment used in the operation of the motor vehicle: *Provided*, That the carrying of such equipment and accessories is otherwise in compliance with the regulations in this part.

§ 297.1 Driving rules.

(a) *Applicability.* Every motor carrier, and its officers, agents, drivers, representatives, and employees directly concerned with the transportation of explosives and other dangerous articles shall comply and be conversant with the requirements of this section. This section shall be applicable with respect to motor vehicles transporting:

(1) Any quantity of class A explosives, class A poison gas, or class D poison requiring a red radioactive materials label.

(2) 2,500 pounds gross weight (contents and containers) of class B explosives, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, class B poisons, class C poisons, or class D poisons not requiring a red radioactive materials label.

(3) 5,000 pounds or more gross weight (contents and containers) of two or more different classes of dangerous articles set forth in subparagraph (2) of this paragraph.

(4) Cargo tank motor vehicles used for the transportation of dangerous articles, regardless of the amount of dangerous articles being transported, or whether loaded or empty.

(5) Except that paragraphs (b) and (h) of this section shall be applicable without regard to the gross weight of class B explosives being transported.

(6) Except that this section shall not be applicable with respect to motor vehicles transporting those classes of dangerous articles set forth in subparagraph (2) if such articles are, because of size and kind of containers, exempted from the packaging, marking, and labeling requirement of Part 178 of this chapter, provided such exempted commodities do not have a gross weight (contents and containers) exceeding 5,000 pounds.

(b) *Motor vehicles not to be left unattended at any time.* Motor vehicles transporting class A or class B explosives

§ 297.01 Application of regulations.

(a) The regulations in this part shall be applicable to every common carrier by motor vehicle, contract carrier by motor vehicle, and private carrier of property by motor vehicle engaged in interstate or foreign commerce, with respect to the transportation by motor vehicle of explosives and other dangerous articles, as defined in the regulations for transportation of explosives and other dangerous articles by land and water in rail freight, express, and baggage services, and by motor vehicle (highway), and water, including specifications for shipping containers.

(b) Parts 290 to 297, inclusive, of this subchapter, shall be applicable to all motor carriers designated in paragraph (a) of this section, whether or not operating wholly within a municipality or between contiguous municipalities, or within a zone adjacent to and commercially a part of any such municipality or municipalities, to the extent that the motor vehicles and drivers of the aforesaid carriers are engaged in the transportation of explosives and other dangerous articles: *Provided, however*, That Part 294 of this subchapter relating to the reporting of accidents shall not apply to any private carrier of property.

§ 297.02 Compliance required.

Every motor carrier and his or its officers, agents, employees, and representatives concerned with the transportation of explosives and other dangerous articles by motor vehicle, shall, become conversant and comply with the regulations prescribed in this part; and, to this end, each motor carrier shall instruct such persons.

§ 297.03 Emergency equipment and accessories not prohibited.

The provisions of this part are not to be construed to pertain to the carrying of (a) emergency flares (pot torches), electric lanterns, and fuses intended to be used to protect the motor vehicle so long as the carrying of such equipment is in accordance with §§ 292.8 and 293.95, or (b) well protected and properly installed accessories for operation, such as fuel in fuel tanks or other fuel containers, storage or other electric battery or

Sec.

297.01 Application of regulations.

297.02 Compliance required.

297.03 Emergency equipment and accessories not prohibited.

297.1 Driving rules.

AUTHORITY: The provisions of this Part 297 issued under 18 U.S.C. 834.

NOTE: Order, June 24, 1944, 9 F.R. 7528 provides that after July 5, 1944, the transportation by motor vehicle in interstate commerce of liquefied petroleum gases named and described in Parts 172 and 173 of this chapter, in containers other than cargo tanks, by common, contract, and private carriers, shall not be subject to the provisions of the two orders of April 20, 1943 (8 F.R. 6478, 6481), as amended: *Provided, however*, That the containers other than cargo tanks so used shall conform in all respects with those authorized for use under regulations prescribed in Part 178 of this chapter.

¹ As to what articles are included within the term "explosives and other dangerous articles", the motor carrier is referred to the definitions contained in "Part 173—Regulations Applying to Shippers" of the "Regulations for Transportation of Explosives and Other Dangerous Articles by Land and Water in Rail Freight, Express, and Baggage Services, and by Motor Vehicle (Highway), and Water, Including Specifications for Shipping Containers" (Parts 171-179 of this chapter). As will be noted from said regulations, the term "explosives and other dangerous articles" encompasses the following classes of articles: (1) Explosives, (2) flammable liquids, (3) flammable solids and oxidizing materials, (4) corrosive liquids, (5) compressed gases, and (6) poisons. "Part 172—Commodity List of Explosives and Other Dangerous Articles Containing the Shipping Name or Description of All Articles Subject to These Regulations" (Parts 171-179 of this chapter) is also to be found in the aforementioned regulations.

1,000-mile inspection, vehicle No. (After inspection No. 4 perform 5,000-mile check which shall include the fifth 1,000-mile check.)

Type of inspection ¹	Inspection No.			
	1	2	3	4
Speedometer reading.....				
Date of inspection.....				
Group 1—Axle, front: Axle and wheel alignment.....				
The rod assembly, etc.....				
Group 2—Axle, rear: Differential housing.....				
Radii of body, etc.....				
Group 3—Body and cab.....				
Group 4—Brakes.....				
Group 5—Clutch.....				
Group 6—Cooling system.....				
Group 7—Electrical system.....				
Group 8—Engine.....				
Group 9—Frame and springs.....				
Group 10—Fuel and exhaust system.....				
Group 11—Steering.....				
Group 12—Transmission.....				
Group 13—Propeller shaft.....				
Group 14—Wheels, tires, and tires.....				
Group 15—Special equipment.....				

1. A=Adjustment; H=heavy inspection; L=visual check-up; O=oil or grease; R=replace or rebuild; T=test. (Name of carrier)

5,000-mile inspection, vehicle No. (After inspection No. 9, perform 50,000-mile inspection which shall include the tenth 5,000-mile inspection.)

Type of inspection ¹	Inspection No.									
	1	2	3	4	5	6	7	8	9	10
Speedometer reading.....										
Date of inspection.....										
Group 1 axle, front: Axle, center.....										
Axle and wheel alignment.....										
Brake spider, etc.....										

NOTE: Have similar forms for the 50,000-mile inspection and the 100,000-mile inspection with type of inspection in accordance with the inspection procedure.

shall not be left unattended at any time during the course of transportation. Nothing contained in this paragraph shall be construed to relieve the driver of any requirement for the protection of any such motor vehicle when disabled or stopped upon any street or highway as provided in Part 292 of this subchapter.

(c) *Motor vehicles not to be left unattended on streets or highways* Motor vehicles transporting dangerous articles other than class A or class B explosives shall not be left unattended upon any public street or highway except when the driver is engaged in performing normal operations incident to his duties as the operator of the vehicle to which he is assigned. Nothing contained in this paragraph shall be construed to relieve the driver of any requirement for the protection of any such motor vehicle when disabled or stopped upon any street or highway as provided in Part 292 of this subchapter.

(d) *Avoidance of congested places* Motor vehicles transporting explosives and other dangerous articles shall be so driven as to avoid, so far as practicable, and, where feasible, by prearrangement of routes congested thoroughfares, places where crowds are assembled, street car tracks, tunnels, viaducts, and dangerous crossings.

(e) *Reduce refuelings to minimum* Except for fuel containers for diesel engine fuels the fuel tank or tanks on any motor vehicle in which is to be transported explosives, flammable liquids, flammable compressed gases or poisonous gases shall be suitably filled prior to the commencement of transportation, and subsequent refilling shall be reduced to the minimum number necessary. If the engine is provided with an electric ignition system, it shall be turned off and the engine stopped during the refueling process; and if with a magneto it shall be grounded.

(f) *Caution passing fires* Motor vehicles transporting explosives, flammable liquids, flammable solids, oxidizing materials or flammable compressed gases shall not be driven past fires of any kind burning on or near the highway or other thoroughfare until after having taken due caution to ascertain that such passing can be made with safety.

(g) *No smoking while driving* Smoking on or about any motor vehicle loaded with or transporting explosives, flammable liquids, flammable solids, oxidizing materials, or flammable compressed gases, or smoking on or about any tank motor vehicle used for the transportation of the liquids described is forbidden.

(h) *Parking in congested places* Except where the necessities of the operation make impracticable the application of this paragraph, no motor vehicle transporting any class A or class B explosive shall be parked, even though attended, on any public street adjacent to or in proximity to any bridge, tunnel, dwelling building, or place where persons work, congregate, or assemble.

(i) *Safety matches* Drivers of any one else, except passengers on buses, upon a motor vehicle transporting flammable liquids or any tank motor vehicle used for the transportation of such dangerous articles, whether loaded or empty, may carry only matches commonly known as "safety matches."

(j) *Jars, jolts, etc* Motor vehicles transporting corrosive liquids shall be so driven as to avoid violent jars, jolts, bumps, or sudden accelerations or decelerations in any direction likely to produce shifting or breaking of the content of the motor vehicle.

LOWELL K. BIRDWELL,
Federal Highway
Administrator

[F.R. Doc 67-14530; Filed, Dec 14, 1967;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Ch. II]

SUBSIDIZED OPERATORS

Guidelines for Payment

In F.R. Doc. 67-14066 appearing in the FEDERAL REGISTER issue of November 30, 1967 (32 F.R. 16436), comments by interested parties were invited to be submitted by December 18, 1967, relative to the guidelines set forth therein for payment of operating-differential subsidy to subsidized operators.

In response to requests, notice is hereby given that the date of December 18, 1967, the closing date for submitting comments, is extended to close of business on February 5, 1968.

Dated: December 14, 1967.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, JR.,
Secretary.

[F.R. Doc. 67-14669; Filed, Dec. 14, 1967;
10:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 128]

HUMAN FOODS

Current Good Manufacturing Practice (Sanitation) in Manufacture, Processing, Packing, or Holding

Pursuant to the provisions of the Federal Food, Drug, and Cosmetics Act (secs. 402(a)(4), 701(a), 52 Stat. 1046, 1055; 21 U.S.C. 342(a)(4), 371(a)) and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.120), the Commissioner of Food and Drugs proposes the promulgation of the following regulations to establish criteria for current good manufacturing practice (sanitation) in the manufacture, processing, packing, or holding of human foods to effect compliance with section 402(a)(4) of the act:

PART 128—HUMAN FOODS; CURRENT GOOD MANUFACTURING PRACTICE (SANITATION) IN MANUFACTURE, PROCESSING, PACKING, OR HOLDING

Sec.
128.1 Definitions.
128.2 Current good manufacturing practice (sanitation).

Sec.
128.3 Plant and grounds.
128.4 Equipment and utensils.
128.5 Sanitary facilities and controls.
128.6 Sanitary operations.
128.7 Processes and controls.
128.8 Personnel.

AUTHORITY: The provisions of this Part 128 issued under secs. 402(a)(4), 701(a), 52 Stat. 1046, 1055; 21 U.S.C. 342(a)(4), 371(a).

§ 128.1 Definitions.

The definitions and interpretations contained in section 201 of the Federal Food, Drug, and Cosmetic Act shall be applicable to such terms when used in this part. As applicable in this part, the following definitions shall pertain:

(a) "Adequate" means in conformance with local, State, and Public Health Service requirements or recommendations. In the absence of such requirements or recommendations "adequate" means in keeping with good public health practice.

(b) "Corrosion-resistant material" means a material that maintains its original surface characteristic under repeated and prolonged exposure to food products, food ingredients, cleaning compounds, and sanitizing solutions to which it is normally subjected.

(c) "Readily cleanable" means easily accessible and of such design, material, and finish that residues from or caused by processing operations may be completely removed by normal, safe cleaning methods.

(d) "Plant" means the building or buildings, or parts thereof, used for or in connection with the manufacturing, processing, packaging, labeling, or storage of human food.

(e) "Sanitize" means adequate bactericidal treatment of cleaned surfaces by a process that is generally recognized as effective in destroying micro-organisms other than spores.

§ 128.2 Current good manufacturing practice (sanitation).

The criteria in §§ 128.3 through 128.8 shall apply in determining whether the facilities, methods, practices, and controls used in the manufacture, processing, packing, or holding of food are in conformance with and are operated or administered in conformity with good manufacturing practices to produce under sanitary conditions food for human consumption.

§ 128.3 Plant and grounds.

(a) *Grounds.* The location and grounds surrounding a food plant shall be free from conditions incompatible with food manufacturing, processing, packing, or holding operations, including but not limited to the following:

(1) Unused equipment, litter, waste, refuse, and uncut weeds or grass within the immediate vicinity of the plant buildings or structures that may constitute an attractant, breeding place, or

harborage for rodents, insects, and other pests.

(2) Excessively dusty roads, yards, or parking lots.

(3) Inadequately drained areas that may contribute contamination to food products through seepage or foot-borne filth and by providing a breeding place for insects or micro-organisms.

(b) *Plant construction and design.* Plant buildings and structures shall be of suitable size, construction, and location to facilitate maintenance and operation for their intended purpose. The plant and facilities shall:

(1) Provide sufficient space for orderly placement of equipment and storage of materials used in any of the operations. Floors, walls, and ceilings in the plant shall be of such construction as to be readily cleanable and shall be clean and in good repair. Fixtures, ducts, and pipes shall not be suspended over working areas in such a manner that drip or condensate may contaminate foods, raw materials, or equipment.

(2) Provide separation by partitions or by location so as to separate those operations which may cause cross-contamination of food products with bacteria, molds, toxic chemicals, filth, or other extraneous and deleterious materials.

(3) Provide adequate lighting to all areas where food or food ingredients are processed, examined, or stored and where equipment and utensils are washed, and to hand-washing areas, dressing and locker rooms, and toilet rooms. Light bulbs, fixtures, skylights, or other glass suspended over food in any step of preparation shall be of the safety type or otherwise protected to prevent food contamination in case of breakage.

(4) Provide adequate ventilation to eliminate objectionable odors and noxious fumes or vapors (including steam), and such ventilation shall not create conditions that may contribute to food contamination by airborne contaminants.

(5) Provide adequate employee facilities for eating and for orderly storage of employee's clothing and personal belongings in appropriate areas to prevent contamination of food or food-contact surfaces.

(6) Provide adequate screening and other protection as necessary to exclude birds, dogs, cats, and vermin (including but not limited to insects and rodents).

§ 128.4 Equipment and utensils.

All plant equipment and utensils shall be suitable for their intended use, so designed and of such material and workmanship as to be readily cleanable and durable, and kept in good repair. The product-contact surfaces of such equipment and utensils shall be smooth, non-toxic, corrosion resistant, and nonabsorbent. In addition, the design, construction, and use of such equipment and

utensils shall preclude the contamination of food with lubricants, fuel, metal fragments, contaminated water, or any other contaminants. All equipment shall be so installed and maintained as to facilitate the cleaning thereof and of all adjacent areas. Aisles or working spaces between equipment and between equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties without contamination of food or food-contact surfaces with clothing or personal contact.

§ 128.5 Sanitary facilities and controls.

Each plant shall be equipped with adequate sanitary facilities and accommodations including but not limited to the following:

(a) *Water supply.* The water supply shall be ample for the operations intended, of a safe and sanitary quality, and derived from a public or private water supply system that is constructed, protected, operated, and maintained in an adequate manner. Hot and cold running water under pressure shall be provided in all areas where foods are processed or equipment, utensils, or containers washed.

(b) *Sewage disposal.* Sewage disposal shall be made into a public sewerage system or in the absence thereof into an adequate private sewerage system.

(c) *Plumbing.* Plumbing shall be of adequate size and design and adequately installed and maintained to:

(1) Carry ample quantities of water to required locations throughout the plant.

(2) Properly convey sewage and waste from the plant to the sewerage or sewage disposal system.

(3) Not constitute a source of contamination to foods, food products or ingredients, water supplies, equipment, or utensils, or create an insanitary condition or nuisance.

Adequate floor drains shall be provided in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor.

(d) *Toilet facilities.* Each plant shall provide its employees with adequate and conveniently located toilets and associated hand-washing facilities within the plant structure. Toilet rooms shall be furnished with toilet tissue. The facilities shall be maintained in a sanitary condition and be kept in good repair at all times. Doors to toilet rooms shall be self closing and shall not open directly into areas where food is exposed to airborne contamination. Signs shall be posted requiring employees to wash their hands with cleansing soap or detergents after using toilet.

(e) *Hand-washing facilities.* Adequate and convenient facilities for hand washing and hand sanitizing (where appropriate) shall be provided at each location in the plant where good sanitary practices require employees to wash, sanitize, and dry their hands. Such facilities shall be furnished with hot and cold running water, hand-cleansing soaps or deter-

gents, single-use towels or suitable drying devices, and easily cleanable waste receptacles. Hand-sanitizing facilities shall also be provided with effective hand-sanitizing solutions. In food-processing and food-handling areas, hand-washing and sanitizing facilities shall be in a location where employee practices can be supervised.

(f) *Offal and rubbish disposal.* Offal and rubbish shall be so conveyed, disposed, or stored as to minimize the development of odor, prevent waste from becoming an attractant and harborage or breeding place for vermin, and prevent contamination of food, food-contact surfaces, ground surfaces, and water supplies.

§ 128.6 Sanitary operations.

(a) *General maintenance.* Buildings, fixtures, and other physical facilities of the plant shall be kept in good repair and shall be maintained in an orderly, sanitary condition at all times. Cleaning operations shall be conducted in such a manner as to minimize the danger of contamination of food and food-contact surfaces. Detergents and disinfectants and other supplies employed in cleaning and sanitizing procedures shall be safe and effective under conditions of use. Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes shall be used or stored in the plant. These materials shall be identified and shall be used only in such manner and under such conditions as will not constitute a health hazard to employees or the public.

(b) *Animal and vermin control.* No animals or birds other than those essential as raw material shall be allowed in any area of a food plant. Effective measures shall be taken to protect against the contamination of foods in or on the premises by dogs, cats, birds, and vermin (including but not limited to rodents and insects). The use of poisonous insecticides or rodenticides shall not be permitted, except under such precautions and restrictions as will prevent the contamination of food with illegal residues, and shall not constitute a health hazard to employees.

(c) *Sanitization of equipment and utensils.* All utensils and product-contact surfaces of equipment shall be maintained in a sanitary condition through cleaning as frequently as necessary to prevent contamination of food and food products. Nonproduct-contact surfaces of equipment used in the operation of food plants shall be cleaned as frequently as necessary to be kept free of accumulation of dust, dirt, food particles, and other debris. Suitable facilities for cleaning shall be provided at convenient locations. Single-service articles (such as utensils intended for one-time use, paper cups, paper towels, etc.) shall not be reused and shall be stored in closed containers and handled, dispensed, and used in a manner that prevents contamination of food-contact surfaces.

(d) *Sanitization of equipment and utensils.* Where necessary to prevent microbiological contamination of food

products, all utensils and product-contact surfaces of equipment used in the plant shall be cleaned and sanitized prior to such use and following any interruption during which such utensils and contact surfaces may have become contaminated. Where such equipment and utensils are used in a continuous production-line basis, the contact surfaces of such equipment and utensils shall be cleaned and sanitized on a predetermined schedule using adequate methods for washing and sanitizing. Sanitizing agents shall be effective and safe under conditions of use. Any facility, procedure, machine, or device may be acceptable for cleaning and sanitizing equipment and utensils if it is readily established that such machines, devices, facilities, and procedures will routinely render equipment and utensils clean to sight and touch and provide adequate bactericidal treatment.

(e) *Storage and handling of cleaned equipment and utensils.* Cleaned and sanitized portable equipment and utensils shall be stored above the floor in a clean, dry location and in such a manner that product-contact surfaces are protected from splash, dust, and other contamination.

§ 128.7 Processes and controls.

All operations in the receiving, transporting, packaging, segregating, preparing, processing, and storing of food shall be conducted in accord with adequate sanitation principles and under supervision of a person responsible for the overall sanitation of the plant and its operations. All reasonable precautions, including the following, shall be taken to assure that production procedures do not contribute contamination such as filth, chemicals, molds, bacteria, or any other extraneous or deleterious material to the processed product:

(a) Raw material and ingredients shall be inspected on receipt and segregated as necessary to assure that they are clean, wholesome, and fit for processing into human food and shall be stored under conditions that will protect against contamination and minimize deterioration. Raw materials shall be washed or cleaned as required to remove soil or other contamination. Water used for washing, rinsing, or conveying of food products shall be of potable quality and shall not be recirculated unless suitably treated to assure its potability.

(b) Containers and carriers of raw ingredients shall be inspected on receipt to assure that their condition has not contributed to the contamination or deterioration of the products.

(c) When ice is used in contact with food products, it shall be made of potable water and shall be used only if it has been manufactured in accordance with adequate standards and stored, transported, and handled in a sanitary manner.

(d) Food-processing areas and equipment used for processing human food shall not be used to process animal feed or inedible products unless such use cannot result in contamination of human food.

(e) Processing equipment shall be maintained in a sanitary condition through frequent cleaning including sanitization where indicated. Insofar as possible equipment should be taken apart for thorough cleaning.

(f) All food processing, including packaging and storage, shall be conducted under such conditions and controls as are necessary to minimize the potential for undesirable bacterial or other micro-organic growth, toxin formation, or deterioration or contamination of the processed product or ingredients. This may include careful monitoring of such physical factors as time, temperature, humidity, pressure, flow-rate and such processing operations as freezing, dehydration, sterilization, and refrigeration to assure that mechanical breakdowns, time delays, temperature fluctuations, and other factors do not contribute to the decomposition or contamination of the processed products.

(g) Chemical, microbiological, or extraneous material testing procedures shall be utilized where necessary to identify sanitation failures or food adulterants, and all foods and ingredients that may have become contaminated shall be rejected.

(h) Packaging processes and materials shall not transmit contaminants or objectionable substances to the product, shall conform to any applicable food additive regulation, and shall provide adequate protection from adulteration.

(i) Recordkeeping and product coding shall be utilized to enable identification in cases of sanitation failures and to facilitate, where necessary, the segregation of specific food lots that may have become contaminated or otherwise unfit for human consumption. Records shall be retained for 2 years.

(j) Storage and transport of finished products shall be under such conditions as will preclude all contamination, including development of pathogenic or toxigenic micro-organisms, and protect against deterioration of the product and the container.

§ 128.8 Personnel.

The plant management shall be responsible for assuring the following:

(a) *Disease control.* No person affected by disease in a communicable form, or while a carrier of such disease, or while affected with boils, sores, infected wounds, or other abnormal sources of bacterial contamination, shall work in a food plant in any capacity in which there is a possibility of food or food ingredients becoming contaminated or of disease being transmitted to other individuals.

(b) *Cleanliness.* All persons handling food, ingredients, or their contact surfaces shall:

(1) Wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.

(2) Remove all jewelry including wrist watches, rings, etc., during work periods in which foods or components are manipulated by hand.

(3) Wash their hands thoroughly (and sanitize if necessary to preclude contamination by micro-organisms) in an adequate handwashing facility before starting work, after each absence from the work station, and at any other time when the hands may have become soiled or contaminated.

(4) Maintain gloves used in food handling in an intact, clean, and sanitary condition. Such gloves shall be of an impermeable material except where their usage would be inappropriate or incompatible with the work involved.

(5) Wear hair nets, headbands, caps, or other effective hair restraints while working at processing operations.

(6) Not use tobacco in any form while in food-processing, food-handling, or equipment- and utensil-washing areas.

(7) Take any other necessary precautions to prevent contamination of foods with micro-organisms or foreign substances including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals, and medicants.

(c) *Education and training.* Key personnel responsible for identifying sanitation failures or food adulterants shall have a background of education or experience, or a combination thereof, to provide the required level of technical competency necessary to fulfill their responsibilities. Food handlers and supervisors shall receive appropriate training in proper food-handling techniques and food-protection principles and shall be cognizant of the danger of poor personal hygiene and insanitary practices.

(d) *Supervision.* All personnel practices and operations shall be under responsible supervision to assure compliance with all sanitation requirements of this Part 128.

Any interested person may, within 60 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: December 6, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-14603; Filed, Dec. 14, 1967;
8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-SO-107]

FEDERAL AIRWAY SEGMENT

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to

Part 71 of the Federal Aviation Regulations that would designate VOR Federal airway No. 57 west alternate segment from Birmingham, Ala., to Decatur, Ala.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA is proposing the designation of V-57 west alternate from Birmingham to Decatur with a 1,200-foot AGL floor via the intersection of the Birmingham 335° T (332° M) and the Decatur 205° T (202° M) radials.

The proposed west alternate segment would provide an additional route that will be utilized by air traffic between Birmingham and Decatur. This proposed west alternate would permit expeditious routing of this intercity traffic when back course ILS approaches are being conducted at the new Huntsville-Madison County Airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on December 7, 1967.

H. B. HELSTROM,
*Chief, Airspace and Air
Traffic Rules Division.*

[F.R. Doc. 67-14563; Filed, Dec. 14, 1967;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-129]

VOR FEDERAL AIRWAY

Proposed Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations which would extend VOR Federal airway No. 177 from Stevens Point, Wis., direct to Duluth, Minn.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention:

Chief, Air Traffic Division, Federal Building, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes to extend V-177 from Stevens Point with a 1,200-foot AGL floor for 31 nautical miles, 5,500 feet MSL floor for 115 nautical miles, thence 1,200-foot AGL floor to Duluth. This proposed airway segment would provide a primary direct route for scheduled and itinerant instrument type air traffic operating between Stevens Point and Duluth.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on December 7, 1967.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 67-14564; Filed, Dec. 14, 1967;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 19385; EDR-131]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Filing Preliminary Schedule P-3(a)

DECEMBER 12, 1967.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment to Part 241 of the Economic Regulations concerning filing by certificated route air carriers of a preliminary schedule P-3(a)—Income Taxes for the final quarter of calendar year 1967 and thereafter. The amendment is proposed under authority of sections 204(a) and 407(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before December 29, 1967, will be considered by the Board before taking

action on the proposal. Copies of communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Section 22(b) of Part 241 provides that schedules in the B and P series may be filed 90 days after the final quarter of the calendar year provided preliminary schedules B-1; P-1.1 or P-1.2, and P-3 are filed within the prescribed 40-day period following close of the quarter. These preliminary schedules are the source of significant year-end financial results which are quickly distributed internally for information pending the filing of final reports for the year. Included in this internal distribution are data on carrier rates of return, which have recently been expanded to show the return both before and after investment tax credits not allocated by the carrier to cost of service. In order that the Board and staff may have access to all data needed for preliminary calendar year distribution, information on investment tax credits must be provided as contained in schedule P-3(a) (Income Taxes). A preliminary report on schedule P-3(a) for calendar year 1967, and subsequent years, is therefore being added to the other preliminary schedules set forth in section 22(b).

Proposed rule. It is proposed to amend section 22(b) of Part 241 of the Economic Regulations, effective December 31, 1967, to read as follows:

Section 22—General Reporting Instructions

* * * * *

(b) Each air carrier shall file the schedules of the CAB Form 41 reports with the Civil Aeronautics Board in accordance with the above instructions, except that B and P report schedules for the final quarter of each calendar year may be extended to 90 days following the year's end: *Provided*, That schedules B-1, P-1.1 or P-1.2, P-3, and P-3(a) are submitted within the standard prescribed 40-day period. At the request of an air carrier, and upon a showing by such air carrier that public disclosure of its preliminary yearend report would adversely affect its interests and would not be in the public interest, the Board will withhold such preliminary yearend report from public disclosure until such time as (1) the final report is filed, (2) the final report is due, or (3) information covered by the preliminary report is publicly released by the carrier concerned, whichever first occurs.

* * * * *

[F.R. Doc. 67-14593; Filed, Dec. 14, 1967;
8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release 34-3204]

EXEMPTION OF CERTAIN TRANSACTIONS INVOLVING RECEIPT AND SALE OF SUBSCRIPTION RIGHTS

Notice of Proposed Rule Making

DECEMBER 11, 1967.

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of Rule 16b-11 (17 CFR 240.16b-11) under the Securities Exchange Act of 1934. The proposed rule would exempt from the operation of section 16(b) under the Act the receipt and sale of certain short-term subscription rights distributed by an issuer to a class of its security holders pro rata in the course of an offering to such security holders of additional securities of such issuer.

Section 16(b) of the Act was enacted for the purpose of discouraging the unfair use of information in short-term trading by beneficial owners of more than 10 percent of a class of equity security registered pursuant to section 12 of the Act and by officers and directors of the issuer of such a security. Section 16(b) provides that profits realized by such persons from the purchase and sale, or sale and purchase, of any equity, security of the issuer, whether or not registered, within a period of less than 6 months, inure to and are recoverable by or on behalf of the issuer. The Commission is authorized to exempt from the provision of section 16(b) transactions not comprehended within the purpose of the section.

The exemption proposed to be afforded by the new rule would cover only the receipt of subscription rights from the issuer in the course of a pro rata distribution of such rights by the issuer without consideration to a class of its security holders, and the sale of the rights so received. Purchases of subscription rights for cash or other consideration, sales of subscription rights purchased for cash or other consideration, and the purchase of securities upon the exercise of subscription rights would not be exempted. Further, the exemptive provisions of the proposed rule would exclude a sale of subscription rights, by a person who has purchased subscription rights for cash or other consideration within the 6-month period preceding or following such sale, to the extent of any such purchase.

The text of proposed Rule 16b-11 (17 CFR 240.16b-11) is as follows:

§ 240.16b-11 Exemption from section 16(b) of certain transactions involving the receipt and sale of subscription rights.

(a) Any receipt or sale of a subscription right to acquire any subject security

PROPOSED RULE MAKING

of the same issuer shall be exempt from the provisions of section 16(b) of the Act, to the extent prescribed in this section, as not comprehended within the purpose of said section of the Act, if:

(1) Such subscription right is acquired, directly or indirectly, from the issuer without the payment of consideration;

(2) Such subscription right by its terms expires within 30 days after the issuance thereof;

(3) Such subscription right by its terms is issued on a pro rata basis to all holders of the beneficiary security of the issuer; and

(4) A registration statement under the Securities Act of 1933 (15 U.S.C. 77a et seq.) is in effect as to each subject security, or the applicable terms of any exemp-

tion from such registration have been met in respect to each subject security.

(b) When used within this section the following terms shall have the meaning indicated:

(1) The term "subscription right" means any warrant or certificate evidencing a right to subscribe to or otherwise acquire another security.

(2) The term "beneficiary security" means a security registered pursuant to section 12 of the Act to the holders of which a subscription right is granted.

(3) The term "subject security" means a security which is the subject of a subscription right.

(c) Notwithstanding anything contained herein to the contrary, if a person purchases subscription rights for cash or other consideration, then a sale by such

person of subscription rights otherwise exempted by this section will not be so exempted to the extent of such purchases within the 6-month period preceding or following such sale.

(Sec. 16, 48 Stat. 896, 15 U.S.C. 78p)

All interested parties are invited to submit their comments in writing on the above-proposed action to the Securities and Exchange Commission, Washington, D.C. 20549 on or before January 5, 1968. All such communications will be available for public inspection unless the sender of any such communication requests that his views not be disclosed.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-14640; Filed, Dec. 14, 1967;
8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[RM 364.12]

HARMAL CORP.

Notice of Application for Recordation of Trade Name

DECEMBER 11, 1967.

Application has been filed pursuant to section 11.16, Customs Regulations (19 CFR 11.16), for recordation under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124) of the trade name Harmal Corp. used by Harmal Corp., an Illinois corporation, 939 West Lake Street, Chicago, Ill. 60607, and Ball Machinery Co., an Illinois corporation, 939 West Lake Street, Chicago, Ill. 60607.

The application states that the trade name is applied to metal working machine tools manufactured in Italy; that Ball Machinery Co. and the Harmal Corp. have the sole and exclusive right to the use of the trade name in connection with this merchandise; that there is no foreign person, partnership, association, or corporation authorized to use the trade name sought to be recorded. Appropriate accompanying papers were submitted with the application.

Before final action is taken on the application, consideration will be given to any relevant data, views, or arguments submitted in writing by any person in opposition to the recordation of this trade name. Any such submission should be addressed to the Commissioner of Customs, Washington, D.C. 20226, in time to be received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

Notice of the action taken on the application for recordation of the trade name will be published in the FEDERAL REGISTER.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 67-14591; Filed, Dec. 14, 1967;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 2]

FOREMAN IV (MAINTENANCE) AND ADMINISTRATIVE OFFICER

Delegation of Authority Regarding Purchasing

SECTION 1. *Foreman IV (Maintenance) and Administrative Officer.* The Foreman IV (Maintenance) and the Administra-

tive Officer may issue purchase orders not in excess of \$500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Badlands National Monument, published May 9, 1963.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C., sec. 2. Midwest Region Order No. 4 (31 F.R. 5769).)

Dated: November 17, 1967.

JOHN R. EARNST,
Superintendent,
Badlands National Monument.

[F.R. Doc. 67-14552; Filed, Dec. 14, 1967;
8:45 a.m.]

[Order 3]

ADMINISTRATIVE OFFICER AND PROCUREMENT ASSISTANT

Delegation of Authority Regarding Execution of Contracts and Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of \$25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Curecanti Recreation Area, Colo., and Black Canyon National Monuments.

SEC. 2. *Procurement Assistant.* The Procurement Assistant may issue purchase orders not in excess of \$1,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Curecanti Recreation Area, Colo., and Black Canyon National Monuments.

SEC. 3. *Revocation.* This order supersedes Order No. 2, issued December 17, 1965.

(National Park Service Order No. 34 (31 F.R. 4255) as amended; 39 Stat. 535, 16 U.S.C., Sec. 2; Midwest Region Order No. 4 (31 F.R. 5769).)

Dated: November 20, 1967.

J. M. CARPENTER,
Superintendent, Curecanti
Recreation Area, Colo., and
Black Canyon of the Gunnison
National Monuments.

[F.R. Doc. 67-14553; Filed, Dec. 14, 1967;
8:45 a.m.]

GRAND TETON NATIONAL PARK, WYO.

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent of Grand Teton National Park proposes to issue a concession permit with Kathleen Starratt, doing business as Elbo Ranch, authorizing her to provide concession facilities and services for the public at Grand Teton National Park, Wyo., for a period of 5 years from January 1, 1968 through December 31, 1972.

The foregoing concessioner has performed her obligations under the permit to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Superintendent of Grand Teton National Park, Moose, Wyo., for information as to the requirements of the proposed permit.

Date: November 20, 1967.

HOWARD H. CHAPMAN,
Superintendent,
Grand Teton National Park.

[F.R. Doc. 67-14554; Filed, Dec. 14, 1967;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF COLORADO

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

On October 10 (32 F.R. 14069), October 17 (32 F.R. 14337), October 24 (32 F.R. 14698), and October 31 (32 F.R. 15049), 1967, the U.S. Atomic Energy Commission published in the FEDERAL REGISTER for public comment a proposed agreement received from the Governor of the State of Colorado for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended. The proposed agreement as published included a proposed effective date of January 1, 1968.

Notice is hereby given that the proposed effective date is changed from January 1, 1968, to February 1, 1968.

Dated at Washington, D.C., this 5th day of December 1967.

For the Atomic Energy Commission,
 W. B. McCool,
Secretary.
 [F.R. Doc. 67-14359; Filed, Dec. 7, 1967;
 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 19252]

**CALEDONIAN AIRWAYS
 (PRESTWICK), LTD.**

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on December 20, 1967, at 10 a.m., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner William F. Cusick.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report and other documents which are in the docket

of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., December 11, 1967.
 [SEAL] **WILLIAM F. CUSICK,**
Hearing Examiner.
 [F.R. Doc. 67-14592; Filed, Dec. 14, 1967;
 8:48 a.m.]

CIVIL SERVICE COMMISSION

NURSES, SPOKANE, WASH. (INCLUDING FAIRCHILD AIR FORCE BASE)

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has increased the minimum rates and rate ranges as follows:

GS-610 Nurse Series.
 PFS-610 Nurse Series.

Geographic coverage: Spokane, Wash. (including Fairchild Air Force Base).

Effective date: First day of the first pay period beginning on or after December 2, 1967.

FEB ANNUM RATES

Grade.....	1 ¹	2	3	4	5	6	7	8	9	10
GS-5.....	\$6,035	\$6,211	\$6,387	\$6,563	\$6,739	\$6,915	\$7,091	\$7,267	\$7,443	\$7,619
GS-6.....	6,461	6,659	6,857	7,055	7,253	7,451	7,649	7,847	8,045	8,243

¹ Corresponding statutory rates: GS-5—Fifth; GS-6—Fourth.

Level.....	1 ²	2	3	4	5	6	7	8	9	10	11	12
PFS-5.....	\$6,461	\$6,652	\$6,843	\$7,034	\$7,225	\$7,416	\$7,607	\$7,798	\$7,989	\$8,180	\$8,371	\$8,562

² Corresponding statutory rate: PFS-5—Fifth.

All new employees in the specified occupational levels will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory rate range shall receive basic compensation at the corresponding numbered rate authorized by this notice on and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 3552.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] **JAMES C. SPRY,**
*Executive Assistant to
 the Commissioners.*

[F.R. Doc. 67-14594; Filed, Dec. 14, 1967;
 8:48 a.m.]

EXECUTIVE ASSISTANT AND SPECIAL ASSISTANT, DISTRICT OF COLUMBIA

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on November 8, 1967, for the positions of Executive Assistant

(Executive Assistant to the Deputy Mayor-Commissioner, District of Columbia), GS-301-15, and Special Assistant (Special Assistant to the Chairman of the Council), GS-301-15, District of Columbia Government. This finding terminates when the two positions are filled.

The appointees to these positions may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] **JAMES C. SPRY,**
*Executive Assistant to
 the Commissioners.*

[F.R. Doc. 67-14595; Filed, Dec. 14, 1967;
 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17057, 17629; FCC 67M-2014]

AIKEN CABLEVISION, INC., AND HOME CATV CO., INC.

Order Scheduling Further Prehearing Conference

In re petition of: Aiken Cablevision, Inc., Aiken, S.C., Docket No. 17057, File

No. CATV 100-19, for authority pursuant to § 74.1107 to operate CATV systems in North Augusta and Aiken, S.C., and in re petition of: Home CATV Co., Inc., City of Barnwell and town of Williston, S.C., Docket No. 17629, File No. CATV 100-145, for authority pursuant to § 74.1107 to operate CATV systems in the Augusta, Ga. television market.

The Hearing Examiner has under consideration a copy of a letter dated December 1, 1967, addressed to the Secretary of the Commission, from counsel for Aiken Cablevision, Inc., one of the parties to the above-entitled proceeding. This letter was written in order to confirm a telephone conversation between the writer and the Examiner, the purpose of which was to advise the latter that all parties other than the Broadcast Bureau had reached an agreement looking toward the termination of this proceeding without hearing and to request the Examiner, in light thereof, to cancel the hearing now scheduled to convene at 10 a.m., December 18 and to set up a further prehearing conference to be held at 9 a.m. on the same date. It was also requested that the date for exchange of exhibits, December 1, be canceled. It appears that the Commission's Broadcast Bureau, as well as all other parties, has consented orally to these procedural changes. The informal motion contained in the December 1 letter will therefore be granted. However, counsel are directed to be prepared to spread the substance of the settlement agreement on the record during the December 18 prehearing conference and to commit themselves to have the completed agreement, accompanied by whatever other documents or pleadings may be called for, on file with the Commission by not later than the close of business December 22d, in the event that this may not be accomplished before December 18.

It is so ordered. And the hearing scheduled to convene at 10 a.m., Monday, December 18, 1967, is hereby canceled, along with the December 1 deadline for the exchange of exhibits; and

It is ordered further. That a further prehearing conference in the above-entitled proceeding is hereby scheduled to convene at 9 a.m. on Monday, December 18, 1967, at the Commission's Offices, Washington, D.C.

Issued: December 5, 1967.

Released: December 7, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **BEN F. WAPLE,**
Secretary.

[F.R. Doc. 67-14569; Filed, Dec. 14, 1967;
 8:48 a.m.]

[Docket Nos. 17617, 17618; FCC 67M-1897]

ATHENS BROADCASTING CO., INC., AND 3 J'S BROADCASTING CO.

Order Following Prehearing Conference

In re applications of Athens Broadcasting Co., Inc., Athens, Tenn., Docket No. 17617, File No. BPH-5668; John P. Frew and Julia N. Frew doing business as 3 J's

Broadcasting Co., Athens, Tenn., Docket No. 17618, File No. BPH-5768; for construction permits.

At a prehearing conference held today all parties agreed that the following procedural steps would be effected on the dates designated:

December 26, 1967—Exchange of direct written presentations.

January 2, 1968—Notification of lay witnesses desired for cross examination.

January 8, 1968—Final exchange of engineering exhibits.

January 9, 1968—Notification of engineering witnesses desired for cross examination.

January 12, 1968—Hearing.
So ordered.

Issued: December 4, 1967.

Released: December 7, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14570; Filed, Dec. 14, 1967; 8:46 a.m.]

[Docket No. 17848; FCC 67M-2024]

BETTERVISION SYSTEMS, INC.

Order Scheduling Hearing

In re cease and desist order to be directed against Bettervision Systems, Inc., Docket No. 17848, owner and operator of a CATV system at Shinnston, W. Va.

It is ordered, That Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on January 16, 1968, at 10 a.m.; and that a prehearing conference shall be held on December 21, 1967, commencing at 9 a.m.; and, It is further ordered, That all proceedings shall take place in the Offices of the Commission, Washington, D.C.

Issued: December 7, 1967.

Released: December 7, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14571; Filed, Dec. 14, 1967; 8:47 a.m.]

[Docket Nos. 17856, 17857; FCC 67M-2016]

**BLANCETT BROADCASTING CO. AND
BRECKINRIDGE BROADCASTING
CO.**

Order Scheduling Hearing

In re Applications of J. C. Blancett trading as Blancett Broadcasting Co., Hardinsburg, Ky., Docket No. 17856, File No. BPH-5815; Dr. O. C. Carter, Paul Fuqua and Dr. Robert D. Ingram doing business as Breckinridge Broadcasting Co., Hardinsburg, Ky., Docket No. 17857, File No. BPH-5927; for construction permits.

It is ordered, That James D. Cunningham shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on

January 18, 1968, at 10 a.m.; and that a prehearing conference shall be held on December 28, 1967, commencing at 9 a.m.; and, It is further ordered, That all proceedings shall take place in the Offices of the Commission, Washington, D.C.

Issued: December 6, 1967.

Released: December 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14572; Filed, Dec. 14, 1967; 8:47 a.m.]

[Docket No. 17469; FCC 67M-2013]

**BLUEFIELD TELEVISION CABLE AND
BLUEFIELD CABLE CORP.**

**Order Scheduling Further Prehearing
Conference**

In re Petition of Bluefield Television Cable, Bluefield, W. Va., request for

waiver of \$ 74.1103 of the Commission's rules, and cease and desist order to be directed against Bluefield Cable Corp., owner and operator of a CATV system at Bluefield, W. Va.; Docket No. 17469.

On the unopposed joint oral request of counsel for Bluefield and WCYB-TV, It is ordered, That the schedule directed in the statement and order of November 29, 1967, including the hearing of December 19, 1967, is canceled; and that a further prehearing conference is scheduled for January 10, 1968, at 9:30 a.m. to consider the technical feasibility of a proposed solution to the carriage problem and possible avoidance of hearing.

Issued: December 5, 1967.

Released: December 7, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14573; Filed, Dec. 14, 1967; 8:47 a.m.]

[Canadian Change List 234]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignment

NOVEMBER 15, 1967.

Notification under the provision of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignment of Canadian Broadcast Stations modifying Appendix containing Assignments of Canadian Stations (Mimeograph No. 47214-3) attached to the Recommendation of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CFRB (this notification is for purposes of updating the daytime supplementary data in agreement with station's actual operation as proven by the latest measurement data. The nighttime operation is as previously notified).	Toronto, Ontario..	1010 kilocycles 50 kw-----	DA-2	U	II	
CFSL (change from that notified on List No. 220—PO: 1340 kc, 1 kwD/0.25 kwN).	Weyburn, Saskatchewan.	1190 kilocycles 10 kwD/ 5 kwN.	DA-N	U	II	E.I.O. 11-1-68.
CHQM (now in operation with increased power).	Vancouver, British Columbia.	1820 kilocycles 50 kw-----	DA-2	U	III	

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14574; Filed, Dec. 14, 1967; 8:47 a.m.]

[Docket Nos. 17670-17672; FCC 67M-2000]

**DURHAM-RALEIGH TELECASTERS,
INC., ET AL.**

Order Cancelling Hearing

In re Applications of Durham-Raleigh Telecasters, Inc., Durham, N.C., Docket No. 17670, File No. BPCT-3882; Triangle Telecasters, Inc., Durham, N.C., Docket No. 17671, File No. BPCT-3883; WTVX, Inc., Durham, N.C., Docket No. 17672,

File No. BPCT-3885; for construction permit for new television broadcast station (Channel 28).

The Hearing Examiner is in receipt of a motion filed by Triangle Telecasters, Inc., requesting the postponement of certain procedural dates heretofore established;

It appearing, that good cause exists why said motion should be granted, and the movant pleads that all parties to the

proceeding have agreed to the grant of this motion;

Accordingly, it is ordered, That the motion is granted, and the date for the exchange of exhibits, is extended from November 29, 1967, to and including December 13, 1967, and the date for notification of witnesses desired for cross-examination shall be December 20, 1967, in lieu of December 6, 1967; and

It is further ordered, That the hearing scheduled for December 18, 1967, be and the same is hereby canceled, and there will be a further hearing conference in this proceeding on January 5, 1968, 2 p.m., in the Commission's Offices, Washington, D.C.

Issued: November 28, 1967.

Released: December 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14575; Filed, Dec. 14, 1967;
8:47 a.m.]

[Docket No. 17861; FCC 67M-2018]

GENERAL ELECTRIC CABLEVISION CORP.

Order Scheduling Hearing

In re petition by General Electric Cablevision Corp., Merced, Calif., Docket No. 17861, File No. CATV 100-62, for authority pursuant to § 74.1107 of the rules to operate a CATV system in the Fresno, Calif., television market (ARB 90).

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on January 8, 1968, at 10 a.m.; and that a prehearing conference shall be held on December 20, 1967, commencing at 9 a.m.; and, it is further ordered, That all proceedings shall take place in the Offices of the Commission, Washington, D.C.

Issued: December 6, 1967.

Released: December 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14576; Filed, Dec. 14, 1967;
8:47 a.m.]

[Docket No. 16980; FCC 67M-2023]

MADISON COUNTY BROADCASTING CO., INC. (WRTH)

Order Scheduling Hearing

In re application of Madison County Broadcasting Co., Inc. (WRTH), Wood River, Ill., Docket No. 16980, File No. BP-16612, for construction permit.

It is ordered, That the hearing (engineering) in the above matter now sched-

uled for 10 a.m., December 18, 1967 is continued without date.

Issued: December 4, 1967.

Released: December 7, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14577; Filed, Dec. 14, 1967;
8:47 a.m.]

[Docket Nos. 17695, 17696; FCC 67M-2001]
**JOHN C. ROACH AND GORDON
COUNTY BROADCASTING CO.
(WCGA)**

Order Regarding Procedural Dates

In re applications of John C. Roach, Calhoun, Ga., Docket No. 17695, File No. BP-16665, for construction permit; Gordon County Broadcasting Co. (WCGA), Calhoun, Ga., Docket No. 17696, File No. BR-2831, for renewal of broadcast license.

The Hearing Examiner having under consideration a "Petition for Postponement of Procedural Dates" filed by Gordon County Broadcasting Co. (WCGA) on November 21, 1967, requesting that the procedural dates heretofore established be continued;

It appearing, that the other parties to this proceeding have consented to the requested postponement; and

It further appearing, that good cause has been shown;

It is ordered, That the above-mentioned "Petition for Postponement of Procedural Dates", be, and the same is, hereby granted; and the following dates shall supersede those heretofore established:

Exchange of exhibits presently scheduled for November 21, 1967, is continued to December 27, 1967;

Notification of witnesses presently scheduled for November 29, 1967, is continued to January 10, 1968; and

Hearing presently scheduled for December 5, 1967, is continued to January 22, 1968.

Issued: November 28, 1967.

Released: December 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14578; Filed, Dec. 14, 1967;
8:47 a.m.]

[Docket No. 17855; FCC 67M-2019]

WELCH ANTENNA CO.

Order Scheduling Hearing

In re cease and desist order to be directed against the following CATV operator: Welch Antenna Co., Welch, W. Va. Docket No. 17855.

It is ordered, That David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the

hearings therein shall be convened on January 8, 1968, at 10 a.m.; and that a prehearing conference shall be held on December 21, 1967, commencing at 9 a.m.; and, it is further ordered, That all proceedings shall take place in the Offices of the Commission, Washington, D.C.

Issued: December 6, 1967.

Released: December 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14579; Filed, Dec. 14, 1967;
8:47 a.m.]

[Docket Nos. 17607, 17608; FCC 67R-498]

AMERICANA BROADCASTING CORP. AND LOYOLA UNIVERSITY

Memorandum Opinion and Order Enlarging Issues

In re applications of Americana Broadcasting Corp., New Orleans, La., Docket No. 17607, File No. BPH-5404; Loyola University, New Orleans, La., Docket No. 17608; File No. BPH-5466; for construction permit for new FM broadcast station.

1. This proceeding involves the mutually exclusive applications of Americana Broadcasting Corp. (Americana) and Loyola University (Loyola) for a new FM broadcast station in New Orleans, La. The Commission, by Order (FCC 67-851, released July 31, 1967) designated the applications for hearing on a standard comparative issue, including the question of the comparative benefits to be derived from duplication of AM programming as proposed by the respective applicants.¹ Presently before the Review Board is a motion to enlarge issues, filed August 21, 1967, by Loyola, requesting the addition of five issues to this proceeding.²

Comparative Efforts. 2. Among the issues requested by Loyola is a comparative efforts issue, viz, "Whether on a comparative basis significant differences exist with respect to the efforts made by each applicant to ascertain the needs and interests of the community and area each proposes to serve." In support of the request, Loyola asserts the alleged superiority of its own canvas of the New Orleans area. It alleges that as licensee of WWL-AM and WWL-TV, New Orleans,

¹ Americana proposes 50 percent duplication of its AM station, WSHO; and Loyola proposes 19 percent duplication of its AM station, WWL.

² The following related pleadings are also before the Review Board: (a) comments, filed Sept. 6, 1967, by the Broadcast Bureau; (b) opposition to motion to enlarge, filed Sept. 13, 1967, by Americana; (c) reply to the Bureau's comments, filed Sept. 18, 1967, by Loyola; and (d) reply to Americana's opposition, filed Sept. 25, 1967, by Loyola.

it has over the years made a continuous study of the needs of the area.³ As a result of this alleged "open-ended dialogue with many representative groups and agencies," it determined that there was a need for a good music station "able to provide a full and complete news service, and willing to allocate and devote substantial programming time to the dissemination of opinion on controversial local issues."⁴ Loyola maintains that Americana, on the other hand, interviewed only seven community leaders; that this "survey" appears to be nothing more than a "token" effort to comply with the requirements of Form 301⁵; that nowhere does Americana indicate the results of the interviews nor can it "give the Commission (any) assurance that a correlation exists between New Orleans' FM broadcast needs as determined in its survey and its proposed programming fare"; and that Americana's format as proposed (country and western, and gospel) is similar to the format offered on its principals' other broadcast stations. Further, Loyola alleges that Americana's proposed FM programming is "not believable in light of WSHO-AM's (Americana's existing AM station) past, present, and proposed programming format."⁶

3. In opposition, Americana contends that Loyola's showing with respect to its survey is "largely window dressing" and is not related to the critical question of what are the FM needs of New Orleans, as opposed to its AM and television needs. Thus, it concludes, "Loyola has not demonstrated that its efforts with respect to ascertainment of programming needs were significantly superior to those of Americana." Also opposing the requested issue, the Broadcast Bureau alleges that Loyola's showing is misleading because the contacts were made over a period of years in connection with the operation of its AM and television stations. Moreover, the Bureau questions the usefulness of these contacts in determining FM broadcasting needs. The Bureau

³ For example, Loyola's Exhibit One specifically lists 43 "General" contacts (Chamber of Commerce, New Orleans Hotel Association, YMCA, etc.), 27 "Agricultural" contacts, 7 "Religious" contacts, 8 "Education" contacts (universities, and local high schools), 12 "Cultural" contacts, and 20 "Sports" contacts.

⁴ Loyola illustrates this point by referring to its "specifically designed" format: 105 hours of operation per week, 5 hours and 30 minutes (5.23 percent) devoted to news, 5 hours and 30 minutes (5.23 percent) devoted to public affairs, and 3 hours and 15 minutes (3 percent) devoted to programming other than entertainment or sports (Exhibit One, pp. 10, 11, 14).

⁵ In support of this allegation, Loyola cites Americana's FM programming proposal: 126 hours of operation per week, 8 percent news, 1.4 percent public affairs, and 1 percent programming other than entertainment or sports. It also alleges a substantial difference in Americana's programming proposal for its AM station (in its assignment of license application), and its "actual performance" as reflected in its renewal application.

alleges that Loyola "tacitly admits" that it has not made a separate determination of the FM needs of New Orleans and "that these needs might differ from its AM and television needs * * *." In support of this allegation, it quotes a sentence from Loyola's application, Exhibit 1, which reads as follows:

The applicant submits that the same type of continuing study will be applied to determination of community needs in the area of FM as has been applied to AM and TV.

In conclusion, the Bureau states that "[a]lthough Americana's efforts to determine the community's needs do not appear to be extensive. Loyola has not shown that its own efforts were significantly superior."

4. Loyola filed replies to the pleadings of both Americana and the Broadcast Bureau. The reply to Americana's opposition essentially reiterates the points of its original motion. The reply to the Bureau's opposition of this issue asserts that the Bureau fails to give the Loyola method of ascertainment the weight it deserves. Loyola, it contends, has been serving New Orleans since 1922 and has practiced a policy of "total community involvement", one aspect of which is the continuing ascertainment of needs. As a result of this continuing effort, it alleges, it determined to seek an FM broadcast license; thereafter, it formulated a programming proposal pursuant to a specific FM survey made by its "agent", William Dean (listed as "General Manager" in the FM application). Loyola contends that its situation is different from a "newcomer" like Americana which, it alleges, lacks the intimate familiarity with New Orleans that Loyola has. Loyola further contends that it was therefore incumbent upon Americana to exert an extensive effort to ascertain the community's needs.

5. It appears from the allegations before us that Loyola has maintained continuing contacts with many facets of New Orleans life, and without question, this is a proper and relevant method of determining needs and interests of a broadcaster's community. Statement on Comparative Broadcast Hearings, FCC 65-689, 5 R.R. 2d 1901. On the other hand, Americana has not disputed the allegation that it has made only seven contacts with community leaders in the New Orleans area.⁶ Further, we note that Americana entered into the New Orleans broadcast market relatively recently,⁷ and that its president and major stock-

⁶ According to Americana's Exhibit No. 4, the seven contacts were with the following: (a) The mayor of New Orleans, (b) the chairman of the Music Therapy Fund, (c) the Public Relations Director of the New Orleans Total Community Action Center, (d) the District Commander of the American Legion, (e) the vice president of the New Orleans Chamber of Commerce, (f) the president of a local bank, and (g) the head of Adult Education in Louisiana.

⁷ WSHO-AM, presently the only licensed station to Americana in New Orleans, began operations on Jan. 7, 1966.

holder, H. C. Young, Jr., does not reside in the New Orleans area. In view of the foregoing, we are of the opinion that a substantial question of a significant disparity in efforts has been raised and therefore that a comparative efforts issue should be added. Chapman Radio and Television Co., FCC 67-234, 9 R.R. 2d 635; Lee Broadcasting, FCC 67R-261, 10 R.R. 2d 486. Our determination to add this issue should not be construed as a determination that we are disposed to automatically add a comparative efforts issue whenever an established broadcast interest in a given community (as here) proposes new facilities, and another mutually exclusive applicant who is new or relatively new to an area also proposes new facilities. However, when a broadcaster proposes to enter a new area, he, of course, cannot rely on continuing contacts to formulate his proposal; he must ascertain the needs in some other meaningful way. In this case, Americana appears to have contacted only seven persons in the entire New Orleans area. Based upon the pleadings before us, we cannot say that such ascertainment is sufficient to avoid the requested issue.

Commercial practices. 6. Two of Loyola's requested issues and part of a third relate to Americana's proposed commercial practices. First, in partial support of a general § 1.65 issue,⁸ Loyola asserts that Americana has changed its proposed commercial practices without amending its application. Second, Loyola contends that in view of this fact, an issue should be added to determine whether Americana has misrepresented to the Commission its proposed commercial practices. Third, Loyola requests that an issue should be added to determine whether the alleged duplicated daily scheduling of 23 minutes of commercial matter per hour during several hours of the day is inconsistent with the public interest.

7. In support of the requested issues, Loyola points out that Americana, in the subject FM application, stated that the maximum amount of advertising it would allow in any 60-minute segment would be 16 minutes. On the other hand, Loyola asserts, "this is a substantial variance with the proposal contained in its AM

⁸ Loyola also contends that Americana has undergone certain financial changes which were not reported to the Commission, and also that certain program changes have likewise not been reported to the Commission. We will discuss these contentions, as well as other related financial matters hereinafter. Section 1.65 of the Commission's rules states in pertinent part, as follows: "Each applicant is responsible for the continuing accuracy and completeness of information furnished in a pending application or in Commission proceedings involving a pending application. Whenever the information furnished in the pending application is no longer substantially accurate and complete in all significant respects, the applicant shall as promptly as possible and in any event within 30 days, unless good cause is shown, amend or request the amendment of his application so as to furnish such additional or corrected information as may be appropriate."

license renewal application,"⁹ and is significant because the applicant proposes to duplicate 50 percent of its AM programs. Thus, the implication from Loyola is that if in fact the proposed FM station does duplicate WSHO-AM 50 percent of the time, it cannot operate within its self-imposed 16-minute limitation as set forth above; hence, arises the § 1.65 and misrepresentation issues. Furthermore, Loyola contends that, if indeed it is true that commercial time will exceed the proposal, then it may constitute overcommercialization contrary to the public interest.

8. Americana, in opposition, denies that there has been any change in its proposal of 16 minutes of commercial matter per 60-minute segment of broadcast time. Its explanation of how it will effect a 50 percent duplication and at the same time stay within its proposal is stated as follows in its pleadings:

Commercial continuity on AM will be duplicated on FM only if it is separately paid for. AM commercial continuity not separately paid for on FM will be deleted from the FM transmissions.

Americana further asserts that since its original proposal is unchanged, the Loyola allegation that there is a question of overcommercialization also "must fall."¹⁰ Loyola, in its reply to the Americana opposition, as well as to the Bureau's comments, concedes the technical feasibility of the Americana explanation, but contends that "this is a highly irregular and an expensive business practice."

9. Petitioner's contention that Americana will exceed the amount of commercialization specified in its application cannot be accepted. Americana's explanation of how it will effectuate its proposed commercial policy is adequate to overcome any inferences raised by the subject petition. Loyola's reply to this explanation does not challenge its veracity or feasibility; it merely alleges that such a practice as proposed by Americana would be "irregular". Such an allegation is no more than speculation and clearly not sufficient, in light of the requirements of § 1.229 of the Commission's rules, to warrant the addition of

⁹ Loyola's reasoning in support of this conclusion is as follows: Americana's AM license renewal application shows a commercial proposal which would allow a maximum of 20 minutes of commercial matter per 60-minute segment, with an allowance of up to 23 minutes during "drive time", or 4 hours per day; WSHO-AM is on the air only 12 hours per day; 50 percent of the number of hours its FM station is proposed to be on the air is nine; therefore, Loyola asserts, "at least 1 hour of its scheduled 'drive time' will be duplicated of necessity."

¹⁰ The Broadcast Bureau also opposes the addition of any issue relating to an alleged change in commercialization proposals: "There is no indication, however, that Americana will permit its AM station to broadcast commercial matter in excess of the maximum stated in its FM application while the AM station is being duplicated. Any contrary conclusion is based on speculation and conjecture."

an issue in this regard. We therefore find that no substantial question is raised as to whether Americana misstated its proposed commercial policy. Since the misrepresentation, overcommercialization, and the § 1.65 issues are all based upon the contention that Americana will exceed its proposed amount of duplication, petitioner's requests therefor will be denied.

Finances. 10. Finally, Loyola seeks the addition of two issues related to the applicant's financial qualifications. Loyola alleges that there is a substantial question as to whether or not Americana is qualified under the Commission's Ultravision test (FCC 65-581, 5 RR 2d 343); and even if it is, whether it can construct and operate its proposed FM station without impairing the ability of its AM station to operate in the public interest. Loyola also alleges that there is a substantial question as to whether Americana has kept the Commission informed of "substantial and significant" changes in its financial status pursuant to § 1.65 of the rules. In support of the addition of these issues, Loyola asserts that Americana will require \$37,900 to construct and operate the station for 1 year (this figure apparently comes from the applicant's original application; however, by amendment of Nov. 3, 1966, the actual amount required is \$39,890); that the February 28, 1966 balance sheet of Americana shows a cash balance of \$19,108.59; and that this, plus a \$20,000 loan commitment from its president, H. C. Young, Jr., "appears" to qualify it under the Ultravision test. However, Loyola alleges that there are several factors which subtract from the weight which can be attached to this showing." Essentially, the factors revolve around a chance that Loyola alleges has taken place in Americana's financial position since the filing of its original balance sheet.¹¹ Loyola alleges that Americana is operating at an undetermined loss. The exact size of this loss, it alleges, is unknown due to the addition in the renewal balance sheet of a \$30,000 item to assets captioned "Goodwill".¹² Loyola asserts that there have been no acquisitions to justify the inclusion of this item, and that actually there has been a loss of \$34,828.59, instead of \$4,828.59, as reflected in its renewal balance sheet. Cash balances also declined, Loyola asserts, between the time of the original balance sheet (for the FM application) and the renewal balance sheet (for renewal of AM li-

¹¹ Loyola, in its motion, relies on an Americana balance sheet dated Dec. 31, 1966, which was submitted with Americana's AM renewal application, to support allegations. Americana, however, in its opposition, relies on an amendment to its application, accepted by the Hearing Examiner (Memorandum of Ruling, FCC 67M-1637, released Oct. 4, 1967), containing amended balance sheets of Americana and H. C. Young, Jr., and a letter of commitment from Young to loan whatever funds are necessary.

¹² The renewal balance sheet also showed a negative operations item—a loss of \$4,828.59.

cense). Loyola also asserts that current assets were shown to exceed current liabilities only because accounts receivable increased; but this was the result of an increase in the number of "marginal advertisers".¹³ Thus, it contends, accounts receivable cannot be relied upon to meet the necessary costs. Loyola concludes therefore, that with only \$13,751 in cash and \$20,000 in loans, Americana can only show \$33,751 available for first-year costs, an amount less than that which the application reflects is required.

11. In opposition to the requested issues, Americana relies on an amendment to its application (see footnote 11, supra) which, it contends, "clearly shows that Americana will have adequate funds available (in excess of \$40,000) for construction and operation of its proposed FM station." The amendment, Americana alleges, also shows that there have been no significant changes in its application (§ 1.65); that WSHO, its existing AM station, is operating at a profit; and that the FM venture will not adversely affect the operation of the AM station. Replying to Americana's opposition, Loyola presents a more detailed analysis of the Americana financial position based upon the amended balance sheets. First, it notes that Americana has current assets (including accounts receivable) of \$71,533.30, and current liabilities of \$26,345.12, or a surplus of \$45,188.18. However, Loyola contends that Americana does not have enough cash to cover its current liabilities,¹⁴ and that other "current assets" are too speculative to be considered. Loyola also contends that Mr. Young, who now has committed himself to loan the applicant "such additional monies as may be required for the construction and operation of the proposed station," might not himself possess the sufficient liquid assets to perform in accordance with his promise. Loyola contends that the only items upon which reliance can be placed are cash, "United Funds", cash value of life insurance, and municipal bonds—a total of \$3,599.50. Loyola alleges that Young's position is further weakened "[i]n light of [his] \$25,000 loan commitment * * * to Broadcasting Associates of America, Inc., permittee of Radio Station WGUS-FM, Augusta, Ga.;" and that, accordingly, "approximately only \$18,600 remains available for use in construction and

¹³ This assertion is based on the facts that in its original balance sheet, Americana allowed only 4.5 percent of accounts receivable as a reserve for bad debts, whereas the December 1966 balance sheet showed the reserve to be 23 percent of accounts receivable. The bad debt to accounts receivable ratio is allegedly too high. According to the most recent amendment, the reserve is approximately 19.5 percent of accounts receivable.

¹⁴ "Deferred Income" of \$2,250.00 was excluded from this total because it was a non-cash item.

first-year operation of WSHO-FM." ¹⁵ Thus, Loyola alleges, even if Americana's cash holdings as shown in the revised balance sheet is \$18,074, and all this were available for first-year costs, Americana would still be short \$3,116. Further, Loyola alleges that because of the necessity of providing the additional amount of money to construct and operate Americana's proposed FM station, its AM station will suffer, and, as a result, its public interest obligations may very well not be met.

13. Petitioner's requests for all issues regarding the applicant's financial status will be denied. Loyola's allegation that Americana's proposed FM station may financially impede the operation of its AM station, thereby preventing the latter from meeting the public interest standard, is not supported by sufficient allegations (§ 1.229 of the Commission's rules). There are no allegations that the AM station is to supply needed funds to the FM station out of its revenues. Nor are there any allegations that there are funds specifically allocated to the AM operation which may be diverted from it to the proposed FM operation; or that, even if there are, how such diversion would cause the AM station to operate in a manner detrimental to the public. Further, there is no indication that Americana's existing station is now operating at a loss. Thus, petitioner's request will be denied.

14. The Review Board does not agree with Loyola's analysis of Americana's financial position. The balance sheet contained in Americana's amended application shows current assets in the amount of \$71,533.30, and current liabilities in the amount of \$26,345.12. There is thus a surplus of \$45,188.18. However, we can give credit for only the \$18,074.93 in cash, absent any specific allegations establishing the liquidity of the other listed assets. Young is now obligated to loan Americana any amount necessary, and, considering the corporation's cash balance, he must show the availability of at least \$21,815.07. Young's most recent balance sheet shows total assets of over half a million dollars, and a net worth just under that figure. His liabilities, on the other hand, total only \$45,000. Included among Young's assets are \$43,599.50 in liquid assets (cash, "United Funds", cash value of life insurance, and municipal bonds). No valid reason has been presented why Young cannot rely on these liquid assets, and we therefore conclude that Young will be able to supply the necessary funds and that no financial

¹⁵ A copy of this alleged loan commitment, dated Jan. 16, 1967, was attached to the Loyola reply. However, there is no allegation that such is still outstanding (it does not appear on Young's amended balance sheet); or that the permittee station still has need of any or all of the amount. Moreover, the alleged commitment was not previously raised by the petitioner, and the applicant has had no opportunity to explain it. For all of these reasons, we will not consider the alleged obligation in our disposition, hereafter, of petitioner's requests.

issue is warranted. Further, although there may have been fluctuations in Americana's financial position since it filed its original FM application, in light of the facts that we find no question as to its present ability to meet costs of construction and first-year's operation, and that there is no indication that it was not financially qualified in the past, such fluctuations are not "significant" within the meaning of § 1.65 of the Commission's rules; ¹⁶ therefore, petitioner's request for an issue in this regard will also be denied.

Accordingly, it is ordered, That the motion to enlarge issues, filed August 21, 1967, by Loyola University, is granted to the extent indicated below, and denied in all other respects; and

It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue:

To determine whether, on a comparative basis, significant differences exist with respect to the efforts made by each applicant to ascertain the needs and interests of the community and area each proposes to serve.

Adopted: November 24, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14596; Filed, Dec. 14, 1967;
8:48 a.m.]

[Docket No. 17834; FCC 67M-2028]

BETTERVISION SYSTEMS, INC.

Order After Prehearing Conference

In re cease and desist order to be directed against: Bettervision Systems, Inc., owner and operator of a CATV system at Buckhannon, W. Va., Docket No. 17834.

A prehearing conference was held before the Hearing Examiner today. Certain rulings were made, which are incorporated herein by reference to the transcript, and a hearing date was established.

It is so ordered, And the hearing in the above-entitled proceeding is hereby scheduled to convene at 9 a.m., on Wednesday, December 20, 1967, at the Commission's offices, Washington, D.C.

Issued: December 6, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14597; Filed, Dec. 14, 1967;
8:49 a.m.]

¹⁶ We do not regard the fact that Americana's AM station may have been operating at a loss as significant, in itself, since Americana is not relying on its AM revenues to finance its proposed FM station.

¹⁷ Board Members Berkemeyer and Stone absent.

[Docket No. 17469; FCC 67M-1985]

BLUEFIELD TELEVISION CABLE AND BLUEFIELD CABLE CORP.

Statement and Order After Further Prehearing Conference

In re petition of Bluefield Television Cable, Bluefield, W. Va., request for waiver of § 74.1103 of the Commission's rules and cease and desist order to be directed against Bluefield Cable Corp., owner and operator of a CATV system at Bluefield, W. Va.; Docket No. 17469.

At today's further prehearing conference the following schedule was agreed to:

Bluefield to furnish its direct affirmative exhibits and affidavits of possible oral witnesses to other counsel and Hearing Examiner by December 7, 1967;

Informal meeting of counsel, December 8, 1967;

Receipt of notice of witnesses for cross examination by December 11, 1967;

Hearing, December 19, 1967.

So ordered.

Issued: November 29, 1967.

Released: November 30, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14598; Filed, Dec. 14, 1967;
8:49 a.m.]

[Docket Nos. 17730, 17731; FCC 67M-2030]

HEARD BROADCASTING, INC., AND NORFOLK BROADCASTING CORP.

Order Scheduling Hearing

In re applications of: Heard Broadcasting, Inc., Leesburg, Fla., Docket No. 17730, File No. BPH-5514; Norfolk Broadcasting Corp., Leesburg, Fla., Docket No. 17731, File No. BPH-5762; for construction permits.

The Hearing Examiner has under consideration the Order scheduling the hearing in the above-entitled proceeding; a "Joint Petition For Approval of Agreement and Dismissal of Application", filed November 16, which is pending before the Review Board; and the transcript of the prehearing conference held November 2. It appears that the parties have reached an agreement, which they submitted with their "Joint Petition" for the consideration of the Commission's Review Board, looking towards the dismissal of one of the applications and the termination of this proceeding. Pending approval of the agreement by the Review Board the hearing, presently scheduled to convene December 20, ought therefore to be postponed.

It is so ordered, On the Hearing Examiner's own motion and the hearing (assuming one is ultimately required) is hereby rescheduled to convene at 10 a.m.,

on Monday, January 22, 1968, at the Commission's offices, Washington, D.C.

Issued: December 6, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-145999; Filed, Dec. 14, 1967;
8:49 a.m.]

[Docket Nos. 17706, 17707; FCC 67M-2031]

**MALRITE, INC., AND PHILIP Y.
HAHN, JR.**

Order Continuing Hearing

In re applications of Malrite, Inc., Rochester, N.Y., Docket No. 17706, File No. BPCT-3873; Philip Y. Hahn, Jr., Rochester, N.Y., Docket No. 17707, File No. BPCT-3927; for construction permit for new television broadcast station (Channel 31).

Under consideration is a joint motion for continuance of procedural dates filed by Malrite, Inc., and Philip Y. Hahn, Jr., on December 4, 1967; and

It appearing that the parties have reached an agreement looking toward dismissal of the application of Malrite and that upon approval of the agreement need for hearing will be eliminated; and

It further appearing that counsel for the Broadcast Bureau, the only other party to the proceeding, has consented to grant of the motion;

Accordingly, it is ordered, That the joint motion is granted, and the procedural dates set forth in the Examiner's order of November 17, 1967, are continued to dates possibly to be determined later and that hearing, now scheduled for January 15, 1968, is continued to March 1, 1968.

Issued: December 6, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14600; Filed, Dec. 14, 1967;
8:49 a.m.]

[Docket Nos. 17853, 17854; FCC 67M-2017]

**TRIPLE C BROADCASTING CORP. AND
COLLINS BROADCASTING CO.**

Order Scheduling Hearing

In re applications of Triple C Broadcasting Corp., Thomasville, Ga., Docket No. 17853, File No. BPH-5739; T. O. Collins and Robert P. Singletary doing business as Collins Broadcasting Co., Thomasville, Ga., Docket No. 17854, File No. BPH-5840; for construction permits.

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearing therein shall be convened on January 11, 1968, at 10 a.m.; and that a prehearing conference shall be held on

December 21, 1967, commencing at 9 a.m.: And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: December 6, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14601; Filed, Dec. 14, 1967;
8:49 a.m.]

[Docket No. 17653; FCC 67M-2029]

UNITED TRANSMISSION, INC.

Order Regarding Procedural Dates

In re petition of United Transmission, Inc., Galax, Va., Docket No. 17653, File No. CATV 100-22; for authority pursuant to § 74.1107 to operate a CATV system in the Greensboro-High Point-Winston-Salem, N.C., and the Roanoke, Va., television markets, ranked 47th and 64th, respectively.

A prehearing conference having been held on December 6, 1967;

It is ordered, That on or before February 2, 1968, United Transmission, Inc., shall exchange the sworn, written exhibits to be offered in support of its direct case, and shall identify those witnesses it proposes to present orally together with a brief statement as to the scope of the testimony of such witnesses; that any party wishing to call for cross-examination the sponsor of any United exhibit shall give notification thereof on or before February 21, 1968; and that hearing shall commence on February 28, 1968, at 10 a.m. in the offices of the Commission at Washington, D.C.

Issued: December 6, 1967.

Released: December 11, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-14602; Filed, Dec. 14, 1967;
8:49 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 21,193]

**BONUS PLAN FOR SAVINGS
ACCOUNT HOLDERS**

Statement Concerning Operation

DECEMBER 7, 1967.

Whereas, by Federal Home Loan Bank Board Resolution No. 21,182, dated December 7, 1967, and duly published in the FEDERAL REGISTER,¹ this Board amended the rules and regulations for the Federal Savings and Loan System (12 CFR, Chapter V, Subchapter C) to

¹ See Title 12, Part 545 in Rules and Regulations Section, *supra*.

authorize a new bonus plan for savings account holders; and

Whereas, this Board has determined that it would be in the public interest to publish concurrently with the amended regulation a statement concerning the operation of the new bonus plan:

Now, therefore, it is hereby resolved that the following statement is hereby adopted as an official statement of the Federal Home Loan Bank Board.

EXPLANATION OF MONTHLY BONUS ACCOUNT PLAN

The Federal Home Loan Bank Board has amended its regulations to authorize a new bonus plan for savings account holders who make regular monthly payments of a specified amount to savings accounts in Federal savings and loan associations.

The new bonus plan will offer a dual benefit of rewarding savers interested in a regular long-term thrift program and providing a more stable supply of funds for the home mortgage market.

Each Federal savings and loan association which offers the new plan may determine the rate of bonus to be paid, subject to the limitations that (1) this may not exceed 1 percent per annum above regular earnings on the account and (2) the bonus plan plus regular earnings does not exceed the ceiling rate for certificate accounts.

The account holder will receive at each earnings distribution date a bonus, above regular earnings, at one-half of the bonus rate until the expiration of 48 months. The bonus for the first 12 months will not be credited to the account holder until the first distribution date following the end of the 12 months. Beyond 48 and until 96 months, the account holder who continues to make regular, fixed monthly payments will receive the full bonus plus regular earnings.

Be it further resolved that the Secretary to the Board is directed to submit this resolution to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-14587; Filed, Dec. 14, 1967;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI68-254, etc.]

W. B. OSBORN, JR., ET AL.

**Order Providing for Hearings on and
Suspension of Proposed Changes in
Rates¹**

DECEMBER 8, 1967.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable,

¹ Does not consolidate for hearing or dispose of the several matters herein.

unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I),

and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought

to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 24, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-254	W. B. Osborn, Jr. (Operator) et al., 5168 Broadway, San Antonio, Tex. 78209.	19	2	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	\$2,838	11-8-67	2-1-1-68	6-1-68	\$12.0	\$4513.5	
	do	20	2	Plateau Natural Gas Co. (Hugoton Field, Kearny County, Kans.).	10,801	11-8-67	2-1-1-68	6-1-68	\$12.0	\$4513.5	
	do	21	5	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	782	11-8-67	2-1-1-68	6-1-68	\$12.0	\$4513.5	
	do	22	2	Cities Service Gas Co. (Hugoton Field, Finney and Kearny Counties, Kans.).	791	11-8-67	2-1-1-68	6-1-68	\$12.0	\$4513.0	
RI68-255	Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221.	117	5	Arkansas Louisiana Gas Co. (Calhoun Field, Ouachita Parish, La.) (North Louisiana).	900	11-6-67	2-1-1-68	6-1-68	\$18.75	\$6720.25	
RI68-256	Champlin Petroleum Co. (Operator) et al., Post Office Box 9365, Forth Worth, Tex. 76107.	98	1	Northern Natural Gas Co. (West Tangier Field, Ellis and Woodward Counties, Okla.) (Panhandle Area).	2,750	11-13-67	2-1-1-68	6-1-68	\$17.0	\$4518.0	
RI68-257	Petroleum, Inc. (Operator) et al., 300 West Douglas, Wichita, Kans. 67202.	45	4	Panhandle Eastern Pipe Line Co. (Northwest Carthage Area, Texas County, Okla.) (Panhandle Area).	2,000	11-13-67	2-1-1-68	6-1-68	\$16.0	\$4517.0	
RI68-258	Hassle Hunt Trust, 1401 Elm St., Dallas, Tex. 75202.	31	1	Texas Gas Transmission Corp. (Sugar Creek Field, Claiborne Parish, La.) (North Louisiana).	225	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.75	
	do	33	2	Texas Gas Transmission Corp. (Cotton Valley Field, Webster Parish, La.) (North Louisiana).	1,500	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.25	
RI68-259	Hunt Oil Co. (Operator) et al., 1401 Elm St., Dallas, Tex. 75202.	47	2	Texas Gas Transmission Corp. (Red-Rock-North Shongallo Field, Webster and Claiborne-Parishes, La.) (North Louisiana).	750	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.75	
	do	53	2	Texas Gas Transmission Corp. (Hico-Knowles Field, Lincoln Parish, La.) (North Louisiana).	3,750	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.75	
	do	59	2	Texas Gas Transmission Corp. (Cotton Valley Field, Webster Parish, La.) (North Louisiana).	5,000	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.25	
	do	56	1	Texas Gas Transmission Corp. (Minden Field, Webster Parish, La.) (North Louisiana).	11,250	11-16-67	2-1-1-68	6-1-68	\$718.25	\$56719.75	
RI68-260	Ashland Oil & Refining Co. (Operator) et al., Post Office Box 18695, Oklahoma City, Okla. 73118.	112	3	Cities Service Gas Co. (Guyton-Hugoton Field, Texas County, Okla.) (Panhandle Area).	4,000	11-13-67	2-12-24-67	5-24-68	\$13.0	\$915.0	G-15454.
RI68-261	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	356	2	Panhandle Eastern Pipe Line Co. (Northwest Avard Field, Woods County, Okla.) (Oklahoma "Other" Area).	140	11-16-67	10-12-17-67	5-17-68	\$15.067	\$411217.067	
	do	379	4	Natural Gas Pipeline Co. of America (Putnam Field, Dewey County, Okla.) (Oklahoma "Other" Area).	265	11-16-67	10-12-17-67	5-17-68	\$15.0	\$45117.0	
RI68-262	Wood Oil Co., 800 Midstates Bldg., Tulsa, Okla. 74103.	7	1	Plateau Natural Gas Co. (Hugoton Field, Kearny County, Kans.).	789	11-16-67	10-12-17-67	5-17-68	\$12.0	\$4513.5	

See footnotes at end of table.

APPENDIX A—continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-263	Hassle Hunt Trust (Operator) et al., 1401 Elm St., Dallas, Tex. 75202.	25	2	Texas Gas Transmission Corp. (Sugar Creek Field, Claiborne Parish, La.) (North Louisiana).	2,700	11-16-67	21-1-68	6-1-68	18.25	19.75	
RI68-264	H. L. Hunt et al., 1401 Elm St., Dallas, Tex. 75202.	31	3	Texas Gas Transmission Corp. (Hico-Hugoton Field, Lincoln Parish, La.) (North Louisiana).	3,000	11-16-67	21-1-68	6-1-68	18.25	19.75	

² The stated effective date is the effective date requested by Respondent.

³ Periodic rate increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Subject to a downward B.t.u. adjustment.

⁶ Pressure base is 15.025 p.s.i.a.

⁷ Includes 1.75 cents tax reimbursement.

⁸ Subject to upward and downward B.t.u. adjustment.

⁹ Unilateral rate increase.

¹⁰ The stated effective date is the first day after expiration of the statutory notice.

¹¹ Respondent is filing from initial certificated rate to initial contract rate.

¹² Includes base rate of 15 cents before increase and base rate of 17 cents after increase plus 0.067 cent upward B.t.u. adjustment (1,067 B.t.u. gas). Base rate subject to upward and downward B.t.u. adjustment.

¹³ Includes letter to buyer terminating contract. Contract expires under its own terms on Dec. 23, 1967.

Humble Oil & Refining Co. (Humble) requests that its proposed rate increases be permitted to become effective as of November 16, 1967. Wood Oil Co. (Wood) requests a retroactive effective date of January 1, 1963; the contractual effective date, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Humble's and Wood's rate filings and such requests are denied. Humble also requests that should the Commission suspend its rate filings that the suspension period be limited to 1 day. Good cause has not been shown for limiting to 1 day the suspension periods with respect to Humble's rate filings and such request is denied.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 67-14547; Filed, Dec. 14, 1967; 8:45 a.m.]

[Docket No. RI68-265, etc.]

**ROBINSON PETROLEUM CORP.
ET AL.**

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective, Subject to Refund¹

DECEMBER 8, 1967.

The Respondents named herein have filed proposed changes in rates and

¹ Does not consolidate for hearing or dispose of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the

date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practices and procedure (18 CFR 1.8 and 1.37(f)) on or before January 24, 1968.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-265	Robinson Petroleum Corp. (Operator) et al., First National Bank Bldg., Pampa, Tex. 79065.	21	3	El Paso Natural Gas Co. (Panhandle Field, Wheeler County, Tex.) (R.R. District No. 10).	\$250	11-13-67	* 1 -1 -68	* 1 -2 -68	13.0	* 6 14.0	
RI68-266	Standard Oil Co. of Texas, a division of Chevron Oil Co. Post Office Box 1249, Houston, Tex. 77001.	29	7 2	Cimarron Transmission Co. (Southwest Enville Field, Love County, Okla.) (Oklahoma "Other" Area).	116	11- 9-67	* 12-10-67	* 12-11-67	* 10 15.750	* 8 9 10 15.7675	
RI68-267	Standard Oil Co. of Texas, a division of Chevron Oil Co. (Operator) et al.	37	7 18	Cimarron Transmission Co. (Southeast Marietta Basil Oil Creek Sand Unit, Love County, Okla.) (Oklahoma "Other" Area).	775	11- 9-67	* 12-10-67	* 12-11-67	* 10 15.945	* 8 9 10 15.960	
RI68-268	Dan J. Harrison, Jr. (Operator) et al., c/o Blades, Crain, Slator, Winters, and Ross, 1009 San Jacinto Bldg., Houston, Tex. 77002, Attn: J. M. Slator, III, Esq.	2 3	2	Texas Eastern Transmission Corp. (Northwest Nada Field, Colorado County, Tex.) (R.R. District No. 3).	12,000	11-17-67	* 12-18-67	* 12-19-67	11 12 15.0	* 6 11 16.0	

¹ Contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1.
² The stated effective date is the effective date requested by Respondent.
³ The suspension period is limited to 1 day.
⁴ Periodic rate increase.
⁵ Pressure base is 14.65 p.s.l.a.
⁶ As corrected by letter dated Nov. 16, 1967.

⁷ Tax reimbursement increase.
⁸ Includes base price of 15 cents plus upward B.t.u. adjustment before increase and 15 cents plus upward B.t.u. adjustment plus tax reimbursement after increase.
⁹ Base price subject to upward and downward B.t.u. adjustment.
¹⁰ Subject to a downward B.t.u. adjustment.
¹¹ Initial certificated rate.

Standard Oil Company of Texas, a division of Chevron Oil Co., and Standard Oil Co., a division of Chevron Oil Co. (Operator) et al. (both referred to herein as Standard), propose rate increases reflecting tax reimbursement for the recently enacted increase in Oklahoma Excise Tax from 0.02 cents to 0.04 cents per Mcf which became effective on July 1, 1967. The proposed increased rates exceed the applicable 11 cents per Mcf increased rate ceiling for the Oklahoma "Other" Area as announced in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56). Since the proposed increases relate to tax reimbursement resulting from the increase in the Oklahoma Excise Tax, it is appropriate to suspend them for 1 day from December 10, 1967, the proposed effective date.

The contracts related to the rate filings of Robinson Petroleum Corp. (Operator) et al. (Robinson) and Dan J. Harrison, Jr. (Operator) et al. (Harrison) were executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rates are above the applicable ceilings for increased rates but do not exceed the applicable ceiling prices for initial rates in the areas involved. We believe, in this situation, Robinson and Harrison's proposed rate filings should be suspended for 1 day from January 1, 1968 (Robinson) and December 18, 1967 (Harrison), the proposed effective dates.

[F.R. Doc. 67-14549; Filed, Dec. 14, 1967; 8:45 a.m.]

[Docket No. E-7382]

GULF POWER CO.

Order Suspending Rate Filing, Providing for Hearing and Directing the Submission of Special Report

DECEMBER 8, 1967.

This order suspends and directs a hearing on the lawfulness of the proposed changes in its filed rate schedules

by Gulf Power Co. (Gulf) for service to Florida Public Utilities Co. (Florida Utilities) at its Marianna and Altha, Fla., delivery points. The proposed changes in rate schedule tendered for filing on October 16, 1967, pursuant to section 205 of the Federal Power Act, have been designated as Gulf's Rate Schedule FPC Nos. 41 (Marianna) and 42 (Altha). The proposed Rate Schedule FPC Nos. 41 (includes Exhibit A thereto)¹ and 42 (includes Exhibit A thereto)¹ supersede Gulf's presently effective Rate Schedule FPC Nos. 32 and 33, respectively. Gulf states that the proffered rate filings are filed to become effective as of December 31, 1967.

The proposed superseding rate schedules embody renewal contracts dated September 13, 1967, providing for electric service by Gulf to Florida Utilities under a separate contract for each of the two delivery points for an additional 5-year period commencing December 31, 1967. The new contracts reflect Gulf's present level of rates and charges for electric service pursuant to its existing agreements providing for an initial 5-year term. The renewal contracts increase the maximum capacity deliveries by Gulf to Florida Utilities from 17,500 kva to 24,000 kva at Marianna and from 3,000 kva to 8,500 kva at Altha.

The superseding contracts continue service at the present two-part rate applicable to both delivery points, which contains a demand charge of \$1.50 per month per kva and an energy charge of 8.3 mills per kwh for the first 150,000 kwh and 6.1 mills per kwh for all kwh in excess thereof. The energy charge is subject to a fuel adjustment clause reflect-

¹ Exhibit A to both superseding rate schedules sets forth a fuel adjustment formula applicable to billing thereunder.

ing variations in the cost of fuel delivered to Gulf's generating plants in accordance with a formula prescribed by a Florida Public Service Commission order.

Staff studies based upon cost and revenue data submitted by Gulf and other data currently available to the Commission indicate that Gulf's present and proposed rate schedules for service to Florida Utilities at the Marianna and Altha delivery points (currently effective Rate Schedule FPC Nos. 32, 33 and superseding Rate Schedule FPC Nos. 41, 42) may result in excessive rates or charges; may place an undue burden upon ultimate consumers; and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful within the meaning of the Federal Power Act. It also appears that additional factual data necessary for a resolution of those questions must be obtained.

Several conferences among Gulf, Florida Utilities, and the Commission staff have failed to result in a settlement of the issues here involved.

In view of the foregoing, it is necessary and appropriate for the purposes of the Federal Power Act, particularly sections 205, 206, 308, and 309 thereof, that the Commission enter upon a hearing concerning the lawfulness of the aforementioned file rate schedules as proposed to be superseded in the manner provided in Gulf's proffered Rate Schedule FPC Nos. 41 and 42; that the operation or effectiveness of the proposed Rate Schedule FPC Nos. 41 and 42 be suspended and the use thereof deferred for a period of 1 day; and that Gulf be directed to submit such cost and revenue data as may be required, all in the manner hereinafter provided.

The Commission orders:

(A) A public hearing shall be held concerning the lawfulness of Gulf's proposed Rate Schedule FPC Nos. 41 and 42 at a time and place to be specified by notice of the Secretary.

(B) Pending such hearing and decision thereon, the operation under the Federal Power Act of the proffered rate schedule filings referred to in paragraph (A) above, is suspended and the use thereof deferred until January 1, 1968. On that date the proffered rate schedules shall take effect in the manner prescribed by the Federal Power Act, subject to further order of the Commission, unless this proceeding has been disposed of at a date previous thereto.

(C) During the period of suspension Gulf's currently effective Rate Schedule FPC Nos. 32 and 33 on file with the Commission shall remain and continue in effect.

(D) Unless otherwise ordered by the Commission, Gulf shall not change the terms or provisions of its proposed rate schedules referred to in paragraph (A) above until this proceeding has been disposed of, or until the period of suspension has expired.

(E) Gulf shall file, on or before March 15, 1968, a special report using 1967 as the test year, showing Gulf's cost of rendering service to Florida Utilities and its other electric wholesale customers, calculated in accordance with applicable Commission precedents and submitted in the form prescribed in Statements A through O, section 35.13(b)(4)(iv) (18 CFR 35.13(b)(4)(iv)) of the Commission's regulations under the Federal Power Act.

(F) The foregoing showing shall not preclude or limit any additional showing by Gulf or others and shall be without prejudice to any future action taken by the Commission or its staff, or to any future position Gulf or others may wish to take as to the significance of, or conclusions to be drawn from, the above factual showing.

(G) The foregoing showing shall be submitted in writing with sufficient copies to provide this Commission with an original and nine copies, to provide each State Commission affected with six copies and to provide two copies for each other party which has been or may hereafter be granted intervention in this proceeding.

(H) During the course of this proceeding Gulf shall submit or make available to this Commission staff any cost, revenue, operating, or other pertinent data as may be requested by the staff.

(I) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37) on or before February 5, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 67-14550; Filed, Dec. 14, 1967;
8:45 a.m.]

[Docket Nos. RI67-465, RI67-466]

MARATHON OIL CO. ET AL.

Order Amending Order Accepting Contract Amendments, Providing for Hearings on and Suspension of Proposed Changes in Rates To Permit Substitute Rate Filings

DECEMBER 8, 1967.

On June 8, 1967, Marathon Oil Co. (Operator) et al., and Marathon Oil Co. (both referred to herein as Marathon) filed with the Commission proposed changes in rates from 18 cents to 19.1 cents¹ and 17.9 cents to 19 cents² under its FPC Gas Rate Schedule Nos. 30 and 31, respectively, which pertain to its jurisdictional sales of natural gas from Harper and Beaver Counties, Okla. (Panhandle Area) to Colorado Interstate Gas Co. The Commission by order issued June 30, 1967, in Docket Nos. RI67-465 and RI67-466, suspended for 5 months Marathon's rate filings until December 9, 1967, and thereafter until made effective in the manner prescribed by the Natural Gas Act. Marathon's proposed rate increases have not been made effective pursuant to section 4(e) of the Natural Gas Act.

On November 16, 1967, Marathon submitted amended notices of change in rates, designated as Supplement No. 1 to Supplement Nos. 11 and 14, respectively, amending the supplements to the aforementioned rate schedules to provide for rate increases to 19.15 cents (Supplement No. 1 to Supplement No. 11) and 19.015 cents (Supplement No. 1 to Supplement No. 14) instead of the 19.1 cents and 19 cents per Mcf rates filed on June 8, 1967. Marathon now proposes to further increase the suspended rates to include partial tax reimbursement for the increase in the Oklahoma Excise Tax which became effective on July 1, 1967.

Marathon's proposed 19.15 cents and 19.015 cents per Mcf rates exceed the area ceiling for increased rates in the Panhandle Area as announced in the Commission's statement of general policy No. 61-1, as amended, as did the previously suspended rates in said dockets. Since Marathon's amended filings include partial reimbursement for the tax increase imposed by the State of Oklahoma, we believe that it would be in the public interest to accept the amended filings subject to the suspension proceedings in Docket Nos. RI67-465 and RI67-466, with the suspension periods of such amended rate filings to terminate concurrently with the suspension periods (Dec. 9, 1967) of the original rate filings in said dockets.

Marathon requests an effective date of July 1, 1967, the date the Oklahoma tax increase became effective, for its amended rate filings. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit a July 1, 1967, effective date for Marathon's rate

¹ Designated as Supplement No. 11 to Marathon (Operator) et al. FPC Gas Rate Schedule No. 30.

² Designated as Supplement No. 14 to Marathon's FPC Gas Rate Schedule No. 31.

filings and such request is denied. However, good cause exists for waiving the 30-day notice requirement to the extent necessary to permit the suspension periods for Marathon's rate filings to be shortened to coincide with the suspension periods ordered in Marathon's proceedings in Docket Nos. RI67-465 and RI67-466.

The Commission orders:

(A) The suspension order issued June 30, 1967, in Docket Nos. RI67-465 and RI67-466, is amended only so far as to permit the 19.15 cents and 19.015 cents rates provided in Supplement No. 1 to Supplement Nos. 11 and 14 to Marathon's FPC Gas Rate Schedule Nos. 30 (Marathon (Operator) et al.) and 31 (Marathon), respectively, to be filed to supersede the 19.1 cents and 19 cents rates contained in Supplement Nos. 11 and 14 to the aforementioned rate schedules, subject to the suspension proceedings in Docket Nos. RI67-465 and RI67-466. The suspension periods for such substitute filings shall terminate concurrently with the suspension periods (Dec. 9, 1967) presently in effect in said dockets.

(B) In all other respects, the order issued by the Commission on June 30, 1967, in Docket Nos. RI67-465 and RI67-466, shall remain unchanged and in full force and effect.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 67-14551; Filed, Dec. 14, 1967;
8:45 a.m.]

[Docket No. RP68-14]

ARKANSAS LOUISIANA GAS CO.

Notice of Proposed Change in Rates and Charges

DECEMBER 13, 1967.

Take notice that on December 1, 1967, Arkansas Louisiana Gas Co. (ArkLa) tendered for filing proposed changes in its FPC Gas Tariff, Revised Volume No. 1, relating to sales for resale of natural gas in interstate commerce.

The filing, designated as Second Revised Sheet No. 1, First Revised Sheet No. 4, First Revised Sheet No. 5, First Revised Sheet No. 7, and Second Revised Sheet No. 15, reflects changes in rate structure and an increased rate level applicable to the towns of Granite, Mangum, and Willow, Okla., and Winfield, Kans., and the Western Power & Light Company of Kansas. The proposed effective date is January 1, 1968. In the aggregate the increase amounts to approximately \$95,000 per year, based on sales for the year 1966.

Protests, petitions to intervene, or notices of intervention with respect to the foregoing proposed tariff may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure, on or before December 27, 1967.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-14627; Filed, Dec. 14, 1967;
8:50 a.m.]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Docket No. 67-4]

FUTURE OF U.S. FOREIGN TRADE POLICY

Notice of Public Hearing

Timetable. A. Requests to present oral testimony must be received by Friday, March 8, 1968.

B. Written briefs must be received by Friday, March 15, 1968.

C. Hearing begins Monday, March 25, 1968.

1. *Notice of public hearing.* Pursuant to section 3(b) (3) of Directive No. 1 of the Office of the Special Representative for Trade Negotiations (48 CFR 202.3 (b) (3)) and upon its own motion pursuant to section 2(d) of its regulations (48 CFR 211.2(d)), the Trade Information Committee (hereinafter referred to as the Committee) has ordered a public hearing to be held concerning the future of U.S. foreign trade policy.

2. *Subject matter of public hearing.* At the direction of the President, the Office of the Special Representative for Trade Negotiations is conducting a comprehensive study of U.S. foreign trade policy and will recommend such legislative and other measures as may be required. This study is focusing on ways to further expand trade among industrialized and developing countries.

The Office will seek the views and assistance of members of Congress, of representatives of industry, agriculture, and labor, and of other interested parties. The views of foreign governments will also be taken into account.

The hearing to be held by the Committee is for the purpose of providing a full and detailed exposition of public views on all aspects of U.S. foreign trade policy. The following list of topics is illustrative of those on which interested parties may wish to submit views:

(a) *General.* (1) The competitive position of the United States in world trade and the prospects for the future.

(2) Foreign trade and U.S. foreign investment.

(3) Foreign trade and U.S. employment.

(b) *Trade of the Developed Countries.* (1) The significance of post-Kennedy Round tariffs for the trade of the United States and of the other major industrialized countries.

(2) The impact on trade of agricultural policies and programs in the United States and in the other major producing and consuming countries.

(3) The impact of regional and other preferential trading arrangements.

(4) East-West trade.

(c) *Measures that may constitute nontariff barriers to trade.* (1) Quantitative restrictions.

(2) Licensing.

(3) State trading and state monopolies.

(4) Government procurement policies and practices.

(5) Variable import levy systems.

(6) Customs classification and valuation practices.

(7) Documentation and customs procedures.

(8) Border tax adjustments.

(9) Subsidies and countervailing duties.

(10) Internal restrictions affecting marketing and distribution.

(11) Restrictive business practices.

(12) Sanitary, safety, health, and similar restrictions.

(d) *Future trade negotiations.* (1) Item-by-item negotiations.

(2) Linear negotiations.

(3) Sector (industry or commodity group) negotiations.

(4) Tariff harmonization.

(5) Participation in free trade areas.

(6) Nontariff barrier negotiations.

(e) *Trade policies particularly affecting the developing countries.* (1) Tariff preferences.

(2) Commodity arrangements.

(3) Regional integration.

(4) Tariff structures and their effect on the exports of the developing countries.

(5) Relationship between trade policies and economic development.

(f) *Problems of adjustment.* (1) Impact of imports.

(2) Disparate labor standards.

(3) Adjustment assistance.

(4) "Escape clause" relief.

(g) *Trade promotion.* (1) Export incentives.

(2) Export financing.

(3) Export programs (such as trade fairs and trade missions).

(h) *Administration of trade policy.*

(1) Organization and administration of U.S. trade policy.

(2) The roles of the General Agreement on Tariffs and Trade, the Organization for Economic Cooperation and Development, and the United Nations Conference on Trade and Development.

This list is illustrative and interested parties are invited to submit views on any matter relating to U.S. foreign trade policy or to the trade policies of other countries, which in their judgment should be considered.

In order to have maximum utility, submissions should be specific and should include relevant statistics and their source. To the maximum extent possible, information on nontariff barriers should refer to specific instances and countries and should give all details, including an assessment of their impact on trade. Any applicable statutes or regulations should be cited. Confidential material may be submitted in accordance with paragraph 6 below.

3. *Time and place of public hearing.* The public hearing will commence in Washington, D.C., on Monday, March 25, 1968.

4. *Requests to present oral testimony.* All requests to present oral testimony must be received by the Chairman of the Committee not later than Friday, March 8, 1968.

Requests to present oral testimony must conform with the regulations of the Committee (48 CFR Part 211). Requests shall be submitted in an original and three copies and must include the following information:

(a) The name, address, and telephone number of the party submitting the request;

(b) The name, address, telephone number, and official position of the person submitting the request on behalf of the party referred to in subparagraph (a);

(c) A list of the topics on which the party intends to submit views and a brief indication of the interest of, and the position to be taken by, the party;

(d) The name, address, and telephone number of the person or persons who will present oral testimony; and

(e) The amount of time desired for the presentation of oral testimony.

In order to facilitate the scheduling of the hearing it is especially important that each party making a request to present oral testimony specify the topics on which it is desired to submit views.

Each party whose request is granted will be notified of the date on which he is scheduled to appear, the amount of time allotted for his presentation, and the place of the hearing. The Committee reserves the right to restrict the time allotted for the presentation of oral testimony. Any party whose request is denied will be notified of the reasons therefor.

5. *Submission of written briefs.* Any interested party may submit a written brief to the Committee concerning the subject matter of the public hearing. Each party presenting oral testimony must submit a brief. All briefs must be received not later than Friday, March 15, 1968.

6. *Information exempt from public inspection.* Parties are encouraged to support their briefs with all available information, including material that may be of a confidential nature. In this regard, parties are referred to sections 7 and 8 of the regulations of the Committee (48 CFR 211.7 and 211.8) for the provisions concerning information exempt from public inspection. These regulations will be provided upon request.

Requests to present oral testimony should contain no confidential information, and any requests marked "For Official Use Only", or similarly marked, will not be accepted. In addition, every written brief must present in nonconfidential form, on separate pages, a statement of the party's position and supporting arguments.

7. *Public inspection of written materials.* Subject to the regulations of the Committee, and in particular sections 7 and 8 (48 CFR 211.7 and 211.8), all written materials filed with the Committee in connection with the hearing will be open to public inspection, by appointment, at the office of the Chairman, Room 729, 1800 G Street NW., Washington, D.C. 20506. Transcripts of the hearing will also be available for inspection, but not for reproduction. Transcripts may be purchased from the official reporter.

8. *Communications.* All communications with regard to the hearing should be addressed to: Chairman, Trade Information Committee, Office of the Special Representative for Trade Negotiations, Room 729, 1800 G Street NW., Washington, D.C. 20506.

LOUIS C. KRAUTHOFF II,
Chairman.

[F.R. Doc. 67-14624; Filed, Dec. 14, 1967;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2224]

AMOCO INTERNATIONAL FINANCE CORP.

Notice of Filing of Application for Order Exempting Company

DECEMBER 11, 1967.

Notice is hereby given that Amoco International Finance Corp. ("Applicant"), 910 South Michigan Avenue, Chicago, Ill. 60680, a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq. ("Act") for an order exempting Applicant from all provisions of the Act and the rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Applicant was organized by Standard Oil Company of Indiana ("Standard") under the laws of the State of Delaware on May 29, 1967. Of Applicant's 1 million authorized shares (\$10 par value), Standard has subscribed for 250,000 shares and has paid an aggregate amount of \$2,500,000 in cash for said shares. On November 22, 1967, Standard made an additional capital contribution to Applicant of \$10 million. Any additional securities which Applicant may issue, other than debt securities, shall be issued only to Standard or to a fully owned subsidiary of Standard. Standard will continue to retain its present holdings of Applicant's common stock and any additional securities of Applicant which Standard may acquire and Standard will not dispose of any of Applicant's securities (other than debt securities) except to Applicant or to a fully owned subsidiary of Standard and Standard will cause each fully owned subsidiary not to dispose of Applicant's securities (other than debt securities) except to Standard, Applicant or to one or more fully owned subsidiaries of Standard.

Standard is engaged in exploration for, and development, production, purchasing, and transportation of, crude oil and natural gas and in the manufacturing, transportation, and marketing of petroleum products, including petrochemicals.

In August, 1967, Applicant sold in Switzerland 50 million Swiss Francs (\$11,516,000) of its 5½ percent Guar-

anteed Bonds due August 31, 1982. Such Bonds were fully guaranteed by Standard and the proceeds from the sale of the Bonds are being used for corporate purposes of foreign corporations outside the United States.

Applicant intends to issue and sell an aggregate of up to \$30 million of its Guaranteed Debentures due 1983 ("Debentures"). Standard will guarantee the principal of (and premium, if any) and interest on the Debentures. Any additional debt securities of Applicant which may be issued to or held by the public will be guaranteed by Standard in a manner substantially similar to the guarantee of the Debentures.

Standard is interested in developing and expanding its foreign operations and is using Applicant to fulfill this objective and at the same time to support the balance of payments position of the United States in accordance with the President's voluntary cooperation program instituted in February 1965.

It is intended that upon completion of the long-term investment of Applicant's assets, substantially all of the assets of Applicant (exclusive of U.S. Government securities and cash items) will be invested in or loaned to foreign companies which are primarily engaged in a business or businesses other than investing, reinvesting, owning, holding, or trading in securities and which are, or upon the making of such investments will be (1) majority-owned subsidiaries under Standard's control within the meaning of section 2(a)(23) of the Act, (2) companies under Standard's control within the meaning of section 2(a)(9) of the Act, or (3) companies which are engaged in a business related to the business of Standard, in which Standard owns, directly or indirectly, an equity interest of 15 percent or more; provided, however, that nothing contained herein shall preclude investments by Applicant in fully owned subsidiaries of Standard primarily engaged in the business of owning or holding securities of companies in which Applicant may invest as stated herein. Applicant will proceed as expeditiously as possible with the long-term investment of its assets in the manner described above. Pending such investment, and from time to time thereafter in connection with changes in long-term investments, Applicant will invest temporarily in debt obligations (including time deposits) of foreign governments, or the U.S. government, foreign financial institutions (including foreign branches of U.S. financial institutions) and foreign subsidiaries of Standard or Applicant, payable in U.S. dollars or other currencies and in each case maturing in 1 year or less from the date of acquisition. Applicant will not acquire securities for the purpose of resale and will not trade in securities.

The Debentures are to be sold to a group of underwriters for offering and sale only outside the United States. The Debentures are to be offered and sold under conditions which are intended to assure that the Debentures will not be offered or sold in the United States, its territories or possessions or to nationals,

citizens, or residents of the United States, its territories or possessions. The contracts relating to such offer and sale will contain various provisions intended to assure that the Debentures will not be purchased by nationals, citizens, or residents of the United States, its territories or possessions. Any additional debt securities of Applicant which may be sold to the public in the future will be sold under substantially similar conditions.

Applicant will use its best efforts to have the Debentures listed on the New York Stock Exchange and registered under the Securities Exchange Act of 1934. The Debentures will also be listed on the Luxembourg Stock Exchange. The common stock of Standard is listed on the New York Stock Exchange and registered under the Securities Exchange Act of 1934.

Tax advisers have advised Standard and Applicant that U.S. persons will be required to report and pay an interest equalization tax with respect to acquisition of the Debentures, except where a specific statutory exemption is available. By financing its foreign operations through Applicant rather than through the sale of its own obligations, Standard will utilize an instrumentality the acquisition of whose debt obligations by U.S. persons would generally subject such persons to the interest equalization tax, thus discouraging them from purchasing such debt obligations.

Applicant submits that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the Commission to enter an order exempting Applicant from each and every provision of the Act for the following reasons: (1) A significant purpose of Applicant is to assist in improving the balance of payments program of the United States by obtaining funds for international operations in foreign countries; (2) the payment of principal of (and premium, if any) and interest on the Debentures, which is guaranteed by Standard, does not depend solely upon the operations or investment policy of Applicant, for the debenture holders may ultimately look to the business enterprise of Standard; (3) none of the securities of Applicant (other than debt securities) will be held by any person other than Standard or a fully owned subsidiary of Standard; (4) Applicant will not permit any debt securities to be issued to or held by the public unless they are guaranteed by Standard in a manner substantially similar to the guarantee of the Debentures; (5) Applicant will not deal or trade in securities; (6) Applicant's security holders will have the benefit of the disclosure and reporting provisions of the Securities Exchange Act of 1934 and of the New York Stock Exchange; (7) the Debentures will be sold only to foreign nationals and the burden of the Interest Equalization Tax will discourage resale to any U.S. national, citizen, or resident.

Notice is further given that any interested person may, not later than December 29, 1967, at 5:30 p.m., submit

to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-14556; Filed, Dec. 14, 1967;
8:46 a.m.]

CODITRON CORP.

Order Suspending Trading

DECEMBER 11, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$3 par value, of Coditron Corp., New York, N.Y., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 12, 1967, through December 21, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-14557; Filed, Dec. 14, 1967;
8:46 a.m.]

[812-1997]

FIFTY STATES MUTUAL FUND, INC.

Notice of Filing of Application for Exemption

DECEMBER 11, 1967.

Notice is hereby given that Fifty States Mutual Fund, Inc. ("Applicant"), 246

North High Street, Columbus, Ohio 43216, an open-end diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting Applicant from the provisions of sections 17(f), 17(g), 30(a), 30(b), 30(c), 30(d), and 30(e) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below:

Applicant registered under the Act on November 10, 1960. On January 23, 1961, Applicant filed its registration statement on Form N-8B-1 and a registration statement on Form S-5 which was withdrawn on March 9, 1962.

A special meeting of shareholders, held on October 15, 1965, approved and adopted resolutions passed earlier on the same date by the Board of Directors of Applicant which stated that Applicant was to be dissolved unless one or more shareholders desired to maintain its existence, in which event all other shareholders were to redeem their shares in accordance with Applicant's Articles of Incorporation and in addition, the shareholders determined that in any event all of Applicant's assets would be converted into cash.

Pursuant to the resolution passed at the aforesaid meeting, three shareholders of Applicant, Nationwide Foundation, Nationwide Mutual Insurance Co., and Nationwide Mutual Fire Insurance Co., decided to retain the existence of the Applicant and remain as its sole shareholders. They own 300, 100, and 100 shares respectively of the Applicant; that amount being the total amount of securities of the Applicant outstanding. The three shareholders are each affiliated with each other.

As of August 31, 1967, Applicant's assets consisted of \$4,986, in United States Government Securities and \$658 in cash. Applicant represents that it intends to keep its assets either invested in U.S. Government Securities or represented by cash until such time as it may decide to engage in the business of an investment company, although it has no present intention of engaging in such a business. In addition, Applicant is not making and has no present intention of making a public offering of its securities.

Section 17(f) requires that the securities and similar investments of a registered investment company be kept in the custody of one of an enumerated class of persons.

Section 17(g) requires the maintenance of a fidelity bond for those officers and employees of registered investment companies who have access to the securities or funds of the registered company.

Sections 30(a), 30(b), 30(c), 30(d), and 30(e) require certain periodic reports to be filed with the Commission and submitted to shareholders of registered companies.

Applicant has undertaken to notify the Commission not less than 30 days be-

fore any transaction or change from its present inactive status giving details of the contemplated change. It further agrees to notify the Commission of any business activity that it undertakes no later than 15 days after the inception of such transaction or activity. Furthermore, in lieu of filing periodic reports, the Applicant will file with the Commission not later than 30 days after the close of its fiscal year, a balance sheet and a statement of assets and liabilities as well as a schedule of investments showing the amounts and values (both cost and market, of securities owned) as of the close of the fiscal period. The Applicant will also file a statement of income and expense, a statement of changes in net assets, a statement of aggregate remuneration paid to officers, directors, and affiliates, and a statement of aggregate total amounts of purchases and sales of investment securities other than Government securities for each fiscal year. Applicant requests the aforementioned exemptions for only so long as it maintains its inactive status.

Section 6(c) allows the Commission by order upon application to exempt any person from provisions of the Act if the exemption requested is necessary or appropriate in the public interest and consistent with the protection of shareholders and the purposes fairly intended by the policies and provisions of the Act.

Notice is further given that any interested person may, not later than December 29, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-14558; Filed, Dec. 14, 1967;
8:46 a.m.]

[812-2212]

LAKESIDE HOLDING CO. ET AL.**Notice of Filing of Application for Order Exempting Proposed Transactions**

DECEMBER 11, 1967.

Notice is hereby given that Lakeside Holding Co. ("Lakeside"), Baker Foundation ("Foundation"), and The Center, Inc. ("Center") (collectively, the "Applicants," 510 Baker Building, Minneapolis, Minn.), have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") and Rule 17d-1 promulgated under section 17(d) of the Act. Pursuant to section 17(b) of the Act, Applicants request that the Commission exempt from the prohibitions of section 17(a) of the Act: (1) The proposed sale to IDS Properties, Inc. ("IDSP"), a wholly owned subsidiary of Investors Diversified Services, Inc. ("IDS"), a face-amount certificate company registered under the Act, of real property and related assets and securities of affiliated companies which own, service or manage real property; and (2) the future exercise of an option by IDSP to purchase all of the capital stock of an affiliated company which owns real property. Pursuant to Rule 17d-1 under the Act, Applicants request that the Commission authorize: (1) The participation of IDS or IDSP in the liquidation of two enterprises, now owned jointly by IDS and an affiliated person of IDS, (2) the entering into agreements between IDSP and Baker Properties Management Co. ("Management"), a corporation to be formed, which will be a wholly owned subsidiary of IDSP, to manage real property to be acquired by IDSP or owned jointly by IDSP and persons affiliated therewith, and (3) the employment of affiliates of affiliated persons of IDS, William M. Baker and Roger L. Baker ("Baker Brothers") by IDSP. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

The proposed transactions. Sales are to be made to IDSP by Lakeside, Center, and Foundation. A brief description of the relationship of the sellers to IDS, of the assets proposed to be sold to IDSP and of the basic purchase price to be paid for such assets follows:

(A) Lakeside owns 86.3 percent of Baker Properties Inc. ("Baker Properties"). IDS and Baker Properties own 47 percent and 51 percent, respectively, of the capital stock of Roanoke Building Co. ("Roanoke"). Roanoke is, therefore, an affiliated person of IDS and of Baker Properties. Lakeside proposes to sell:

(i) A 51 percent undivided interest in the assets of Baker Trust (consisting principally of downtown Minneapolis office buildings) for \$8,435,400 to be paid \$4,236,751 by the assumption of outstanding indebtedness and \$4,198,649 in cash and securities; (ii) a 53.148 percent undivided interest in the assets of Roanoke (consisting of the Roanoke Building in downtown Minneapolis) for \$2,657,407 to be paid \$1,560,797 by the assumption

of outstanding indebtedness and \$1,096,610 in cash and securities; (iii) 51 percent of the capital stock of Central Heating Co. (which provides steam for heating a number of buildings in downtown Minneapolis) for \$10,000 to be paid in cash; (iv) 49 percent of the common stock of One Hundred Twelve, Inc. (which, directly and through a wholly owned subsidiary, owns and is developing properties in Minneapolis suburbs) for \$1 million to be paid in cash and securities; (The agreement of purchase provides that at any time within 5 years of the purchase date, the Minneapolis Star and Tribune Co., holder of the remaining 51 percent interest in One Hundred Twelve, Inc., may require IDSP to purchase its interest at its fair market value determined by appraisers to be selected by each party.) (v) The \$3,177,894 note bearing interest at a rate of 6 percent of Seaboard Properties, Inc. ("Seaboard") (which owns and is developing a resort hotel and other properties on Key Largo, Fla.) for \$2,898,000 to be paid in cash and securities; (The agreement also grants IDSP a 25-year option to purchase all of the outstanding capital stock of Seaboard for \$400,000 plus an amount equal to any additional investments made in Seaboard by Lakeside or other owners.) (vi) 100 percent of the capital stock of Management for \$10,000 to be paid in cash; (vii) the principal assets of Syndicate Land Trust (which owns a half block in downtown Minneapolis) for \$2 million to be paid \$1,715,708 by the assumption of liabilities of Syndicate Land Trust and \$284,292 in cash and securities; (viii) the Sheridan Hotel, located on the edge of downtown Minneapolis, for \$595,000 to be paid in cash and securities; and (ix) an 87.79 percent undivided interest in the assets of Marquette Joint Venture (which owns the Marquette Bank Building and the Marquette Ramp in downtown Minneapolis) for \$2,897,070 to be paid \$1,606,983 by the assumption of outstanding indebtedness and \$1,290,087 in cash and securities.

(B) Baker Properties owns 54 percent of the common stock of Center. Thus Roanoke, an affiliated person of IDS, is under common control with Center. Therefore, Center is an affiliated person of Roanoke and an affiliated person of an affiliated person of IDS. Center proposes to sell its principal assets (consisting of downtown Minneapolis office buildings, a motor-hotel and a parking ramp) for \$31,400,000 to be paid \$23,460,613 by the assumption of outstanding indebtedness and \$7,939,387 in cash and securities.

(C) The Baker Brothers are the officers and directors of Foundation, a non-profit corporation. Each brother owns 50 percent of the stock of Lakeside. Thus Roanoke, an affiliated person of IDS, is under common control with Foundation and Foundation may be an affiliated person of Roanoke and thereby an affiliated person of an affiliated person of IDS. Foundation proposes to sell its 12.21 percent undivided interest in the assets of Marquette Joint Venture for \$402,930 to be paid \$223,502 by the assumption of

outstanding indebtedness and \$179,428 in cash and securities.

The aggregate purchase price for all of the assets to be acquired by IDSP is \$52,305,807, to be paid in part (approximately \$32,804,354) by the assumption by IDSP of mortgage and certain other long-term indebtedness of the sellers (including \$28,000,948 of mortgage indebtedness owed to Investors Syndicate of America, Inc., a company under common control with IDSP) with the balance (approximately \$19,501,453) to be paid in cash, partly in short-term non-interest bearing notes of IDSP, and partly in 20-year 6 percent debentures of IDSP. The basic purchase price, in some instances, is subject to adjustments, described in the application, which it is estimated in the aggregate, will reduce the price by approximately \$580,000.

Initially, the notes and debentures of IDSP will be offered only to the three Applicants. Within 1 year Lakeside and Center will be liquidated and all of the debentures will then be held by: (i) The Foundation; (ii) the Baker Brothers and their four children (or trusts for their benefit); (iii) Leslie C. Park, a minority shareholder of Center and Properties, his wife, and his three children; (iv) the three minority shareholders of Center; and (v) not more than five other shareholders of Baker Properties who will be offered a choice of the debentures of IDSP (at par) or cash. All of the remaining holders of equity interests in the assets to be sold to IDSP (including the public shareholders of Baker Properties) will receive their proportionate distributive shares in cash upon the liquidation of Lakeside and Center.

Immediately prior to the closing, Baker Properties, Roanoke, Baker Trust, and Baker-Florida, Inc., which is owned 87 percent by Lakeside, will be liquidated and the assets of such entities to be purchased by IDSP will be distributed to Lakeside. IDS will contribute to IDSP its 49 percent interests in Baker Trust and Central Heating Co. and its 47 percent interest in Roanoke, as well as its interests in other real estate which are carried on IDS' books at approximately \$2,750,000 in the aggregate.

The Baker Brothers, who as persons controlling Roanoke are affiliated with IDS, as of the proposed closing date (Jan. 2, 1968), will execute employment contracts with IDSP each for a term of 5 years at \$45,000 per year.

Commission jurisdiction. Section 17(a) of the Act, as here pertinent, makes it unlawful for Applicants, affiliated persons of an affiliated person of IDS, a registered investment company, to sell to IDSP, a company controlled by such registered investment company, any securities or other property, unless the Commission finds, upon application pursuant to section 17(b) of the Act, that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of the registered investment company

and with the general purposes of the Act.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide as here pertinent, that it shall be unlawful for an affiliated person of a registered investment company or an affiliated person of such a person, acting as principal, to participate in, or to effect any transaction in connection with, any joint enterprise or other joint arrangement in which any company controlled by such registered company is a participant unless an application regarding such arrangement has been granted by the Commission. In passing upon such application, the Commission must consider whether the participation of such registered company or controlled company in such arrangement is consistent with the provisions, policy, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Applicants seek exemption to the extent necessary, to permit the participation of IDS, IDSP, and Lakeside in the liquidation of Baker Trust and Roanoke, to permit Management to enter certain agreements to manage the properties acquired in the aforementioned transaction and to permit IDSP to enter into employment contracts with the Baker Brothers. Applicants do not concede that section 17(d) of the Act and Rule 17d-1 thereunder are applicable to the proposed employment contracts and property management agreements, but seek relief in order to eliminate any question as to full compliance with section 17(d) of the Act.

Supporting statements. The application states that the subject sales were negotiated during several months of arm's length bargaining between the Baker Brothers, representing the prospective sellers, and IDS representing IDSP. It also states that each sale of real estate is at a basic purchase price equal to the appraised value thereof as determined by a recent appraisal of an independent appraiser selected by IDS. Further it asserts that each sale of securities of a company owning real estate is at a price which, for reasons described in the application, is less than the value thereof computed by substituting appraised values of the real estate owned by that company for the book value of such real estate.

In addition, it states that Baker Properties, pursuant to contract, manages the real estate to be sold, or owned by companies whose securities are to be sold, to IDSP. Such contracts are to be assigned by Baker Properties to Management, all the stock of which is proposed to be sold to IDSP. It also declares that Baker Properties has arranged to secure the services of the present employees of Properties' Management Division for IDSP and Management, so that IDSP and Management will have experienced personnel with which to continue the management of the various properties.

The application states that (1) neither Lakeside nor IDS controls the other or

is under common control with the other; (ii) neither Lakeside nor IDS (nor any parent or subsidiary of either of them) owns any stock in the other or in any person controlling the other, nor are there any common officers or directors; (iii) the officers and directors of Lakeside and of its subsidiaries own, in the aggregate, directly or indirectly, only a fraction of 1 percent of the stock of IDS or of any person controlling IDS; and (iv) the officers and directors of IDS own no stock of Lakeside and to Applicants' knowledge, no stock of any subsidiary of Lakeside. The application also states that the proposed purchase and management of real property and of securities of companies owning real property is consistent with the investment policies of IDS as recited in its registration statement and reports filed under the Act.

Notice is further given that any interested person may, not later than December 28, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 67-14559; Filed, Dec. 14, 1967;
8:46 a.m.]

[812-2221]

STATE STREET INVESTMENT CORP.

Notice of Filing of Application for Order Exempting Sale by an Open-End Company of Its Securities at Other Than Public Offering Price

DECEMBER 11, 1967.

Notice is hereby given that State Street Investment Corp. ("Applicant"), 225 Franklin Street, Boston, Mass. 02110,

a Massachusetts corporation registered under the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq. ("Act") as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which Applicant's redeemable securities will be issued at a price other than the current public offering price in exchange for substantially all the assets of Reeves Fund, Inc. ("Reeves"). All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Reeves, an Indiana corporation, is a personal holding company all of whose outstanding stock is owned of record and beneficially by 24 stockholders and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Applicant and Reeves, assets owned by Reeves with a value of approximately \$10 million on October 31, 1967, will be transferred to Applicant in exchange for shares of its capital stock.

The number of shares of Applicant to be issued to Reeves is to be determined by dividing the aggregate market value of the assets of Reeves (subject to certain adjustments set forth in the application) to be transferred to Applicant by Applicant's net asset value per share (as defined in the agreement, similarly adjusted), both to be determined as of the valuation time. If the valuation in the agreement had taken place on October 31, 1967, Reeves would have received approximately 188,000 shares of Applicant's stock.

When received by Reeves, the shares of Applicant are to be distributed to the Reeves shareholders on the liquidation of Reeves. Applicant has been advised by the management of Reeves that the stockholders of Reeves do not have any present intention of redeeming or otherwise transferring the shares of Applicant to be received on such liquidation following the sale of assets transaction. Applicant does presently intend to sell a portion of the securities acquired from Reeves subsequent to their acquisition as set out in the application.

No affiliation exists between Reeves, or any officer, director, or stockholder thereof, and Applicant, and the agreement was negotiated at arm's-length by the two companies. The Board of Directors of Applicant approved the agreement as being in the best interests of its shareholders, taking all relevant considerations into account.

Section 22(d) of the Act provides that registered open-end investment companies may sell their shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application would be in accordance with established practice of the Commission, is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than December 28, 1967 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 67-14560; Filed, Dec. 14, 1967;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (Midwestern Area) Rev. 1, Amdt. 1]

CHIEF, ACCOUNTING, CLERICAL, AND TRAINING DIVISION

Delegation of Authority To Conduct Program Activities in the Midwestern Area

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Rev. 12), 32 F.R. 179, dated January 7, 1967, and Amendment 1, 32 F.R. 8113, dated June 6, 1967, Delegation of Authority No. 30 (Rev. 1), Midwestern Area, 32 F.R. 11827, dated August 16, 1967, is hereby amended by adding

paragraphs 5, 6, and 7 to Item III. Paragraphs 5, 6, and 7 hereby added to Item III read as follows:

II. * * *

I. Chief, Accounting, Clerical and Training Division. * * *

** 5. To cancel, reinstate, modify and amend authorizations for business, economic opportunity and disaster loans.

** 6. To extend the disbursement period on all loan authorizations or undischursed portions of loans.

** 7. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Adjustment of interest payment dates.

e. Release of hazard insurance checks not in excess of \$200 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

f. Release of equipment with or without consideration where the value of equipment being released does not exceed \$200.

Effective date: November 22, 1967.

RICHARD E. LASSAR,
Area Administrator
Midwestern Area.

[F.R. Doc. 67-14581; Filed, Dec. 14, 1967;
8:47 a.m.]

[Delegation of Authority No. 5-A]

ASSOCIATE ADMINISTRATOR FOR PROCUREMENT AND MANAGE- MENT ASSISTANCE

Delegation of Authority in Section 8(a) of the Small Business Act

Pursuant to the authority vested in the Administrator of the Small Business Administration by the Small Business Act (72 Stat. 384), as amended, the following authority relating to the implementation of section 8(a) of the Small Business Act (72 Stat. 384) is hereby delegated to the Associate Administrator for Procurement and Management Assistance:

1. To enter into contracts on behalf of the Small Business Administration with the U.S. Government and any department, agency, or officer thereof having procurement powers, obligating the Small Business Administration to furnish articles, equipment, supplies, or materials to the Government and agreeing as to the terms and conditions of such contracts;

2. To certify to any officer of the Government having procurement powers that the Small Business Administration is competent to perform any specific Government procurement contract to be let by any such officer; and

3. To arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small busi-

ness concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Small Business Administration to perform such contracts.

Effective Date: December 7, 1967.

ROBERT C. MOOR,
Administrator.

[F.R. Doc. 67-14582; Filed, Dec. 14, 1967;
8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Annes Department Store, department store; 4810 Milwaukee, Chicago, Ill.; 10-29-67 to 10-28-68.

Bright Stores, Inc., department stores from 10-18-67 to 10-17-68: 28 West Ridge Street, Lansford, Pa.; 109-113 South First Street, Lehigh, Pa.

Butler's Department Store, department store; 54 Main Street, Waterville, Maine; 11-8-67 to 11-7-68.

City Service Furniture, furniture store; 1502 Hidalgo, Laredo, Tex.; 10-3-67 to 10-2-68.

Community Memorial Hospital, hospital; Park Street, Sheldon, Iowa; 10-5-67 to 10-4-68.

Davis Super Market, Inc., food store; 730 East Pittsburgh Street, Greensburg, Pa.; 10-10-67 to 10-9-68.

Duckwall's Stores, Inc., variety stores from 11-15-67 to 11-14-68: 2584 Baseline Road, Boulder, Colo.; 426 Main, Longmont, Colo.

Fandel Co., department store; St. Cloud, Minn.; 11-4-67 to 11-3-68.

Goldblatt Brothers, Inc., department store; 3311 West 26th Street, Chicago, Ill.; 10-28-67 to 10-27-68.

W. T. Grant Co., variety stores: No. 243, Galesburg, Ill. (10-28-67 to 10-27-68); No. 824, Des Moines, Iowa (11-16-67 to 11-15-68); No. 5, New Bedford, Mass. (11-17-67 to 9-16-68); No. 767, Flemington, N.J. (10-22-67 to 10-21-68); No. 578, Millville, N.J. (10-27-67 to 10-26-68); No. 828, Wyckoff, N.J. (10-1-67 to 9-30-68); No. 875, High Point, N.C. (10-7-67 to 10-6-68); No. 572, Cleveland, Ohio (10-11-67 to 10-10-68); No. 761, El Paso, Tex. (10-27-67 to 10-26-68).

Haines Super Market, food stores from 10-26-67 to 10-25-68: 551 State Street, Clairton, Pa.; Route 51, Pleasant Hills, Pittsburgh, Pa.

The Hand Trading Co., food store; 404 West Railroad Street, Pelham, Ga.; 11-4-67 to 11-3-68.

Hart's Department Store, Inc., department store; 955 Fourth Avenue, New Kensington, Pa.; 10-25-67 to 10-24-68.

IGA Foodliner, food store; Hiway 63 South, Macon, Mo.; 10-18-67 to 10-17-68.

Joplin Home, nursing home; McLouth, Kans.; 12-1-67 to 1-31-68.

K-G Men's Store, apparel store; Minot, N. Dak.; 11-17-67 to 11-16-68.

Kabaneck Food Store, Inc., food store; 1000 West Main, Prague, Okla.; 10-17-67 to 10-16-68.

Kistler-Collister Co., department store; 1100 Mateo, Northeast, Albuquerque, N. Mex.; 10-20-67 to 10-19-68.

S. S. Kresge Co., variety stores: No. 69, Washington, D.C. (10-11-67 to 10-10-68); No. 153, Washington, D.C. (10-2-67 to 10-1-68); No. 88, Belleville, Ill. (11-1-67 to 10-31-68); No. 301, Chicago Heights, Ill. (10-11-67 to 10-10-68); No. 167, Logansport, Ind. (10-3-67 to 10-2-68); No. 101, South Bend, Ind. (10-24-67 to 10-23-68); No. 154, Council Bluffs, Iowa (10-1-67 to 9-30-68); No. 1039, Newport, Ky. (11-4-67 to 11-3-68); No. 4625, Bladensburg, Md. (10-19-67 to 10-18-68); No. 6, Bay City, Mich. (10-22-67 to 10-21-68); No. 453, Clawson, Mich. (10-19-67 to 10-18-68); No. 490, Dearborn, Mich. (10-25-67 to 10-24-68); No. 166, Detroit, Mich. (9-3-67 to 9-2-68); No. 241, Detroit, Mich. (10-19-67 to 9-2-68); No. 696, Farmington, Mich. (10-28-67 to 10-27-68); No. 405, Inkster, Mich. (9-23-67 to 9-22-68); No. 404, Pontiac, Mich. (9-26-67 to 9-25-68); No. 111, Irvington, N.J. (11-3-67 to 11-2-68); No. 614, Cleveland, Ohio (10-24-67 to 10-23-68); No. 640, Columbus, Ohio (10-10-67 to 10-9-68); No. 223, Hamilton, Ohio (11-16-67 to 11-15-68); No. 86, Racine, Wis. (9-3-67 to 9-2-68).

Dan Marsh Drugs, Inc., drug store; 523 St. Germain, St. Cloud, Minn.; 11-8-67 to 11-7-68.

Marstallers Grocery and Market, food store; 1928 Circle Road, Waco, Tex.; 10-23-67 to 10-22-68.

McCrory-McLellan-Green Stores, variety stores: No. 1009, Norwalk, Conn. (10-6-67 to 10-5-68); No. 1310, Doraville, Ga. (10-6-67 to 10-5-68); No. 313, Natchez, Miss. (10-4-67 to 10-3-68); No. 328, Yazoo City, Miss. (11-22-67 to 11-21-68); No. 576, Raleigh, N.C. (11-10-67 to 11-9-68); No. 1045, Wilmington, N.C. (10-9-67 to 9-2-68); No. 1022, Easton, Pa. (10-6-67 to 10-5-68); No. 109, Monongahela, Pa. (10-27-67 to 10-26-68); No. 1048, Anderson, S.C. (10-27-67 to 10-26-68); No. 177, Waco, Tex. (10-11-67 to 10-10-68); No. 138, Charlottesville, Va. (10-1-67 to 9-30-68); No. 1069, Falls Church, Va. (10-7-67 to 10-6-68).

McKinley's Food Market, food store; Hancock, Md.; 11-22-67 to 11-21-68.

H. Minkovitz & Sons, Inc., department store; 1 South Main Street, Statesboro, Ga.; 10-5-67 to 10-4-68.

Morgan & Lindsey, Inc., variety store; No. 3060, Westwego, La.; 11-1-67 to 10-31-68.

M. E. Moses Co., variety store; No. 22, Mesquite, Tex.; 11-16-67 to 11-15-68.

Neisner Brothers, Inc., variety store; No. 136, Miami, Fla.; 11-3-67 to 11-2-68.

J. J. Newberry Co., variety stores: No. 794, Moorhead, Minn. (10-18-67 to 10-17-68); No. 303, Hackettstown, N.J. (10-11-67 to 10-10-68); No. 17, New Brunswick, N.J. (10-25-67 to 10-24-68); 600 Race Street, Cincinnati, Ohio (10-16-67 to 10-15-68); 19-21 North Second Street, Newport, Pa. (10-26-27 to 10-25-68).

Oshkosh Kline Co., department store; 220 North Main, Oshkosh, Wis.; 10-5-67 to 10-4-68.

Piggly Wiggly, Inc., food store; 3110 Grand Avenue, Fort Smith, Ark.; 10-12-67 to 10-11-68.

Royal's, Inc., department stores from 10-28-67 to 10-27-68: 400 West Avenue A, Belle Glade, Fla.; 112 Bond Street, Clewiston, Fla. Sabo Park Manor, nursing home; Lakin, Kans.; 11-6-67 to 11-5-68.

Schaper Foods, Inc., food store; 528 West Main Street, Jackson, Mo.; 11-6-67 to 11-5-68.

Samuel Schlesinger, Inc., apparel store; 5716 Bergenline Avenue, West New York, N.J.; 10-18-67 to 10-17-68.

Shelton Supermarket, food store; 206 West Main, Stigler, Okla.; 10-3-67 to 10-2-68.

Spurgeon's, department stores: 113 First Street, Dixon, Ill. (11-8-67 to 11-7-68); 604 Broadway, Lincoln, Ill. (11-15-67 to 11-14-68); 723 Washington Street, Mendota, Ill. (11-8-67 to 11-7-68); 227 South Main Street, Monmouth, Ill. (11-15-67 to 11-14-68); 519 South Main Street, Princeton, Ill. (11-6-67 to 11-5-68); 429 Lincoln Highway, Rochelle, Ill. (11-6-67 to 11-5-68); 117-119 First Avenue West, Newton, Iowa (11-22-67 to 11-21-68); 216-218 Bush Street, Red Wing, Minn. (11-15-67 to 11-14-68).

Sterling Stores Co., Inc., variety store; 209 East Cypress, Brinkley, Ark.; 10-23-67 to 10-22-68.

The Strouss-Hirshberg Co., department store; 20 West Federal Street, Youngstown, Ohio; 10-19-67 to 10-18-68.

T. G. & Y. Stores Co., variety stores: No. 117, Wichita, Kans. (11-21-67 to 11-20-68); No. 228, Baton Rouge, La. (11-15-67 to 11-14-68); No. 156, Kansas City, Mo. (11-21-67 to 11-20-68); No. 18, Woodward, Okla. (10-24-67 to 10-23-68).

The Webber Co., Inc., dry goods store; Corner Perry and Monroe Streets, Montgomery, Ala.; 10-25-67 to 10-24-68.

Wm. C. Wiechmann Co., dry goods store; 116 South Jefferson Avenue, Saginaw, Mich.; 11-9-67 to 11-8-68.

Worth's, apparel store; 95 Bank Street, Waterbury, Conn.; 11-18-67 to 11-17-68.

The following certificates were issued to retail or service establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Breen's Market, Inc., food store; 334 North Main Street, Milford, Mich.; carryout, stock clerk; between 13 percent and 20 percent; 11-16-67 to 11-15-68.

Centers Discount Store, variety store; 80 Railroad Street, St. Johnsbury, Vt.; stock

clerk, checkout clerk, fountain and salesclerk; between 4.8 percent and 10 percent; 10-2-67 to 9-17-68.

Crest Stores Co., variety store; Tarboro, N.C.; salesclerk, stock clerk; between 10.2 percent and 45.3 percent; 10-1-67 to 9-30-68. Duckwall Stores, Inc., variety store; 728 West Cheyenne Boulevard, Colorado Springs, Colo.; salesclerk, stock clerk; between 13.3 percent and 31.6 percent; 11-15-67 to 11-14-68.

Erdman Supermarkets, Inc., food store; Highway 65 South, Owatonna, Minn.; checker, stock clerk, carryout, cleanup; 10 percent; 11-20-67 to 11-19-68.

W. T. Grant Co., variety stores for the occupations of salesclerk, stock clerk, office clerk, cashier except as otherwise indicated: No. 579, Milford, Del. (between 1.4 percent and 10 percent, 10-9-67 to 10-8-68); No. 1051, Indianapolis, Ind. (between 6.9 percent and 10 percent, 10-24-67 to 10-23-68); No. 1100, Cedar Falls, Iowa (salesclerk, stock clerk, between 1.9 percent and 13.6 percent, 10-24-67 to 10-23-68); No. 1184, North Las Vegas, Nev. (salesclerk, between 1.6 percent and 14.5 percent, 10-24-67 to 10-23-68); No. 1160, Park Ridge, N.J. (salesclerk, stock clerk, office clerk, between 12.7 percent and 13.4 percent, 11-3-67 to 11-2-68); No. 945, Union, N.J. (between 7.9 percent and 32.9 percent, 10-27-67 to 10-26-68); No. 926, Cleveland, Ohio (between 5.6 percent and 12.5 percent, 11-2-67 to 11-1-68); No. 24, Erie, Pa. (between 0.1 percent and 16 percent, 10-9-67 to 10-8-68); No. 789, Johnstown, Pa. (salesclerk, between 0.7 percent and 1.3 percent, 10-24-67 to 10-23-68); No. 1012, Pittsburgh, Pa. (salesclerk, between 5.3 percent and 10 percent, 10-9-67 to 10-8-68); No. 1108, Richmond, Va. (between 1.7 percent and 8.2 percent, 10-1-67 to 9-30-68).

Handy-Andy, Inc., food stores; No. 28, San Antonio, Tex.; package clerk, stock clerk, dairy stock clerk, bottle sorter, produce clerk, bakery clerk, office cashier, porter, checker; between 22.5 percent and 31.1 percent; 10-26-67 to 10-25-68.

S. H. Heironimus Co., Inc., apparel store; Crossroads Mall, Roanoke, Va.; salesclerk, stock clerk, gift wrapper; between 0 percent and 5.8 percent; 11-1-67 to 10-31-68.

Jenny Lee Bakery, bakery; Fort Couch and Washington Road, Pittsburgh, Pa.; salesclerk; between 15.5 percent and 22.2 percent; 11-2-67 to 11-1-68.

K-G Men's Store, apparel stores from 11-17-67 to 11-16-68, salesclerk, stock clerk, office clerk, delivery clerk, receiving clerk, between 9 percent and 22 percent; 7200 West Alameda, Denver, Colo.; 1543 Grand Avenue, Billings, Mont.; Holiday Village, Great Falls, Mont.; Helena, Mont.; Holiday Village, Missoula, Mont.

S. S. Kresge Co., variety stores for the occupation of salesclerk except as otherwise indicated, 10 percent except as otherwise indicated: No. 4070, Atlanta, Ga. (salesclerk, stock clerk, office clerk, checker-cashier, between 3.5 percent and 10 percent, 10-12-67 to 10-11-68); No. 4230, Atlanta, Ga. (between 3.5 percent and 13.5 percent, 11-16-67 to 11-15-68); No. 4071, Marietta, Ga. (salesclerk, checker-cashier, 10-11-67 to 10-10-68); No. 4189, Savannah, Ga. (between 3.5 percent and 13.5 percent, 10-26-67 to 10-25-68); No. 4030, Danville, Ill. (salesclerk, stock clerk, office clerk, checker-cashier, between 6.6 percent and 28.9 percent, 10-26-67 to 10-25-68); No. 4097, Elgin, Ill. (salesclerk, stock clerk, office clerk, checker-cashier, between 0 percent and 10 percent, 11-1-67 to 10-31-68); No. 4095, Joliet, Ill. (salesclerk, stock clerk, office clerk, checker-cashier, between 0 percent and 21.9 percent, 10-13-67 to 10-12-68); No. 4107, Peoria, Ill. (salesclerk, office clerk, stock clerk, checker-cashier, between 8.7 percent and 15.6 percent, 10-24-67 to 10-23-68); No. 4048, Springfield, Ill. (salesclerk, stock clerk, office

clerk, checker-cashier, between 8.7 percent and 15.6 percent, 10-21-67 to 10-20-68); No. 4035, Anderson, Ind. (salesclerk, stock clerk, checker-cashier, 10-31-67 to 10-30-68); No. 312, Speedway, Ind. (10-9-67 to 10-8-68); No. 4565, Topeka, Kans. (between 5.6 percent and 10 percent, 10-9-67 to 10-8-68); No. 4105, Ann Arbor, Mich. (11-9-67 to 11-8-68); No. 4065, Battle Creek, Mich. (between 3 percent and 10 percent, 11-11-67 to 11-10-68); No. 4091, Bay City, Mich. (10-1-67 to 9-30-68); No. 4118, Grand Rapids, Mich. (between 2.5 percent and 10 percent, 11-2-67 to 11-1-68); No. 4098, Monroe, Mich. (salesclerk, stock clerk, 11-2-67 to 11-1-68); No. 4145, Mount Clemens, Mich. (11-9-67 to 11-8-68); No. 4099, Mount Morris, Mich. (11-2-67 to 11-1-68); No. 4535, Owosso, Mich. (salesclerk, stock clerk, office clerk, 11-2-67 to 11-1-68); No. 4096, Saginaw, Mich. (salesclerk, stock clerk, 11-2-67 to 11-1-68); No. 4106, Ypsilanti, Mich. (10-31-67 to 10-30-68); No. 4060, Charlotte, N.C. (salesclerk, stock clerk, office clerk, checker-cashier, 10-22-67 to 10-21-68); No. 4165, Cincinnati, Ohio (between 6.6 percent and 22 percent, 11-16-67 to 11-15-68); No. 4190, Dayton, Ohio (between 8 percent and 10 percent, 10-6-67 to 10-5-68); No. 4150, Altoona, Pa. (between 3.4 percent and 10 percent, 11-16-67 to 11-15-68); No. 4032, Greensburg, Pa. (between 4 percent and 10 percent, 10-1-67 to 9-30-68); No. 422, New Castle, Pa. (between 4.3 percent and 10 percent, 10-1-67 to 9-30-68); No. 4119, Rochester, Pa. (between 6.5 percent and 10 percent, 10-9-67 to 10-8-68); No. 4009, Washington, Pa. (between 6.5 percent and 10 percent, 10-1-67 to 9-30-68); No. 4016, Greenville, S.C. (stock clerk, salesclerk, checker-cashier, 10-19-67 to 10-18-68); No. 4141, West Columbia, S.C. (salesclerk, stock clerk, checker-cashier, 11-8-67 to 11-7-68); Nos. 4197, 4223 and 4236, Houston, Tex. (between 7.2 percent and 27.3 percent, 11-16-67 to 11-15-68); No. 4029, San Angelo, Tex. (between 7.2 percent and 10 percent, 10-1-67 to 9-30-68); No. 4025, Tyler, Tex. (between 7.2 percent and 10 percent, 10-21-67 to 10-20-68); No. 4042, Fredericksburg, Va. (salesclerk, stock clerk, office clerk, checker-cashier, 10-1-67 to 9-30-68); No. 547, Springfield, Va. (salesclerk, stock clerk, office clerk, checker-cashier, 10-1-67 to 9-30-68); 2400 West College Avenue, Appleton, Wis. (salesclerk, office clerk, stock clerk, checker-cashier, between 6.9 percent and 13.6 percent, 11-13-67 to 11-12-68); No. 4517, Janesville, Wis. (salesclerk, stock clerk, office clerk, cashier-checker, between 10.7 percent and 24.5 percent, 10-10-67 to 10-9-68).

Lerner Shops, apparel stores: No. 197, Gainesville, Fla. (salesclerk, between 0.8 percent and 25.4 percent, 11-9-67 to 11-8-68); No. 196, West Palm Beach, Fla. (salesclerk, stock clerk, between 8.9 percent and 14.5 percent, 10-19-67 to 10-18-68); No. 280, Michigan City, Ind. (salesclerk, office clerk, between 2.7 percent and 8.6 percent, 10-19-67 to 10-18-68); No. 254, Omaha, Nebr. (salesclerk, office clerk, stock clerk, between 10.4 percent and 17.2 percent, 11-16-67 to 11-15-68); No. 72, Perth Amboy, N.J. (salesclerk, stock clerk, office clerk, between 9.4 percent and 10 percent, 10-16-67 to 10-15-68).

May's Drug Store, drug store; No. 201, Peru, Ill.; salesclerk, stock clerk; between 5.1 percent and 8.3 percent; 10-20-67 to 10-19-68.

McCrory-McLellan-Green Stores, variety stores for the occupations of salesclerk, office clerk, stock clerk except as otherwise indicated, 10-7-67 to 10-6-68 except as otherwise indicated: No. 290, Fayetteville, Ark. (between 2.3 percent and 14.3 percent); No. 274, Danbury, Conn. (between 6.7 percent and 28.4 percent); No. 1033, Milford, Conn. (between 6.7 percent and 15.2 percent); No. 331, East Dover, Del. (salesclerk, cashier, between 27 percent and 38 percent, 11-15-67 to 11-14-68); No. 7504, Casselberry, Fla. (between 4.1 percent and 15 percent); No. 388, Live

Oak, Fla. (between 6.7 percent and 23.8 percent, 10-21-67 to 10-20-68); Nos. 319 and 7502, Orlando, Fla. (between 4.1 percent and 15 percent); No. 356, Plant City, Fla. (between 10.3 percent and 30.3 percent, 10-3-67 to 10-2-68); No. 335, Carrollton, Ga. (between 6.3 percent and 18.7 percent); No. 392, North Riverside, Ill. (between 10.5 percent and 26.6 percent, 11-2-67 to 11-1-68); No. 345, Ellicott City, Md. (between 27 percent and 38 percent); No. 382, Fall River, Mass. (between 6.6 percent and 15.1 percent; 10-20-67 to 10-19-68); No. 374, Framingham, Mass. (between 6.6 percent and 15.1 percent, 11-8-67 to 11-7-68); No. 641, Greenfield, Mass. (between 3.1 percent and 12.1 percent); No. 642, Winchendon, Mass. (between 3.1 percent and 12.1 percent); No. 393, Detroit, Mich. (between 10.4 percent and 26.5 percent, 10-3-67 to 10-2-68); No. 253, Grand Rapids, Mich. (between 10.5 percent and 26.6 percent); No. 692, Ionia, Mich. (between 2.1 percent and 30.1 percent, 11-9-67 to 11-8-68); No. 238, Menominee, Mich. (between 10.5 percent and 32.8 percent, 11-9-67 to 11-8-68); No. 260, Oxford, Miss. (salesclerk, stock clerk, between 6.6 percent and 27.4 percent, 11-16-67 to 11-15-68); No. 377, Stirling, N.J. (between 9 percent and 19.6 percent, 10-3-67 to 10-2-68); No. 708, Grants, N. Mex. (between 3.5 percent and 27.2 percent, 10-25-67 to 10-24-68); No. 257, Norwood, Ohio (between 6.8 percent and 20.2 percent, 10-19-67 to 10-18-68); No. 224, Hazleton, Pa. (between 15.2 percent and 31.8 percent, 11-16-67 to 11-15-68); No. 381, Philadelphia, Pa. (between 2.9 percent and 12.5 percent, 10-3-67 to 10-2-68); No. 1020, Fort Worth, Tex. (salesclerk, stock clerk, between 18.3 percent and 39.3 percent, 10-27-67 to 10-26-68).

Minimax Super Market, food store; 1201 Strawberry Road, Pasadena, Tex.; bagger, carryout, janitor, stock clerk; between 6.2 percent and 10.5 percent; 10-19-67 to 10-18-68.

Morgan & Lindsey, Inc., variety store; No. 3114, Long Beach, Miss.; salesclerk, stock clerk, office clerk; between 4.2 percent and 21.9 percent; 11-8-67 to 11-7-68.

G. C. Murphy Co., variety store; No. 82, Atlanta, Ga.; salesclerk, office clerk, stock clerk, janitor; between 4.7 percent and 12.8 percent; 10-4-67 to 10-3-68.

Nacogdoches Foods, Inc., food store; 1028 South Street, Nacogdoches, Tex.; checker, carryout, stock clerk, bottle clerk; between 9 percent and 20.2 percent, 11-1-67 to 10-31-68.

Neisner Brothers, Inc., variety stores for the occupations of salesclerk, office clerk, stock clerk; No. 22, Brooksville, Fla. (between 9.7 percent and 29.3 percent, 10-28-67 to 10-27-68); No. 190, Cape Coral, Fla. (between 9.7 percent and 29.3 percent, 10-18-67 to 10-17-68); No. 95, Englewood, Fla. (between 9.8 percent and 29 percent, 10-10-67 to 10-9-68); No. 5, Palatka, Fla. (between 7.6 percent and 16.6 percent, 10-14-67 to 10-13-68).

J. J. Newberry Co., variety store; No. 476, Macon, Ga.; salesclerk; between 9.9 percent and 10 percent; 11-1-67 to 10-31-68.

Parks IGA, food store; 223 Auckerman Street, Eaton, Ohio; carryout, stock clerk, cleanup; 10 percent; 11-16-67 to 11-15-68.

Piggly Wiggly, Inc., food stores from 10-12-67 to 10-11-68 except as otherwise indicated, package clerk, stock clerk, checker except as otherwise indicated, 17 percent and 24 percent except as otherwise indicated: No. 11, Phenix City, Ala. (sacker, bottle clerk, carryout, janitor, between 10.5 percent and 12.3 percent, 10-1-67 to 9-30-68); 3500 Jenny Lind, 2222 Midland Boulevard, and Phoenix Village, Fort Smith, Ark.; 15th and East Main Street, Van Buren, Ark.; 710 East Blackhawk Avenue, Prairie Du Chien, Wis. (carryout, 9.5 percent, 11-10-67 to 11-9-68).

Seifert's, apparel store; 227 Second Street, Southeast, Cedar Rapids, Iowa; salesclerk,

merchandizing, cleanup; between 2.4 percent and 9 percent; 10-13-67 to 10-12-68.

Serve-All Food Store, food store; 214 East Austin Street, Kermit, Tex.; carryout; 20 percent; 11-22-67 to 11-21-68.

Sterling Stores Co., Inc., variety store; Fayetteville, Ark.; salesclerk, stock clerk, janitor; between 16.7 percent and 40.4 percent; 11-10-67 to 11-9-68.

Sunshine Department Store, department store; 1241 Moreland Avenue, Southeast, Atlanta, Ga.; salesclerk; between 7.8 percent and 10 percent; 10-11-67 to 10-6-68.

T. G. & Y. Stores Co., variety stores for the occupations of salesclerk, stock clerk, office clerk except as otherwise indicated: No. 248, Pine Bluff, Ark. (salesclerk, stock clerk, between 11.4 percent and 33.6 percent, 10-2-67 to 10-1-68); No. 735, St. Petersburg Beach, Fla. (between 2 percent and 17 percent, 10-9-67 to 10-8-68); No. 466, Emporia, Kans. (between 15.3 percent and 29.4 percent; 11-3-67 to 11-2-68); No. 470, Wichita, Kans. (between 19 percent and 30 percent, 12-1-67 to 11-30-68); No. 464, Chickasha, Okla. (between 10 percent and 30 percent, 10-10-67 to 10-9-68); No. 822, Odessa, Tex. (between 6 percent and 20 percent, 11-15-67 to 11-14-68); No. 114, Wichita Falls, Tex. (between 8 percent and 30 percent, 12-1-67 to 11-30-68).

Wood's 5 & 10¢ Stores, variety store; Chapel Hill, N.C.; salesclerk, stock clerk; between 10.4 percent and 33.9 percent; 11-1-67 to 10-31-68.

F. W. Woolworth Co., variety stores: No. 2482, Farmington, N. Mex. (salesclerk, office clerk, stock clerk, between 7.3 percent and 10 percent, 10-23-67 to 10-22-68); No. 2559, El Paso, Tex. (salesclerk, between 7.8 percent and 10 percent, 10-19-67 to 10-18-68).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 8th day of December 1967.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 67-14568; Filed, Dec. 14, 1967; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 11, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within

15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41185—*Starch or dextrine from Lafayette, Ind.* Filed by Traffic Executive Association—Eastern Railroads, agent (No. 2901), for interested rail carriers. Rates on starch or dextrine, in carloads, as described in the application from Lafayette, Ind., to points in Alabama, Florida, Georgia, Louisiana, North Carolina, and South Carolina.

Grounds for relief—Market competition.

Tariffs—Supplement 70 and 27 to Traffic Executive Association, agent, tariffs ICC C-438 and C-611, respectively.

FSA No. 41186—*Liquid caustic soda from Charleston, Tenn.* Filed by O. W. South, Jr., agent (No. A-5072), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from Charleston, Tenn., to Fairfax, Lanett, Opelika, and Pepperell, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 165 to Southern Freight Association, agent, tariff ICC S-484.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-14588; Filed, Dec. 14, 1967;
8:48 a.m.]

[Notice 509]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 12, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 52579 (Sub-No. 97 TA), filed December 4, 1967. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secaucus, N.J. 07094. Authority to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Wearing apparel*, loose, on hangers, and *materials and supplies* used in the manufacture of wearing apparel, between Hallandale, Fla., and points in the New York, N.Y., commercial zone as defined by Commission; (b) *materials and supplies* used in the manufacture of wearing apparel, from Miami, Fla., to points in the New York, N.Y., commercial zone as defined by the Commission. NOTE: Applicant requests authority to interline with authorized ICC carriers at points in the New York, N.Y., commercial zone, for 150 days. Supporting shippers: Mary-Martin, Inc., 226 Northwest Sixth Avenue, Hallandale, Fla.; Smartknit, Inc., 276 Northwest 26th Street, Miami, Fla. Send protests to: District Supervisor W. J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 108207 (Sub-No. 234 TA), filed December 6, 1967. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street 75207, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma*, from Houston, Tex., to Kankakee, Ill., for 150 days. Supporting shipper: Metabolic Research Foundation, Inc., 4520 Yoakum Boulevard, Houston, Tex. 77006. Send protests to: E. K. Willis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 109501 (Sub-No. 9 TA), filed December 4, 1967. Applicant: CALHOUN TRUCKING CORP., 319 Jacet Road, Post Office Box 357, Kearny, N.J. 07032. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air conditioning units*, from the plantsite of the Fedders Corp. in Edison Township, N.J., to New York, N.Y., for 180 days. Supporting shipper: Fedders Corp., Edison, N.J. 08817, Charles J. Fallon, Traffic Manager. Send protests to: Walter J. Grossmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1060 Broad Street, Newark, N.J. 07102.

No. MC 114364 (Sub-No. 154 TA), filed December 4, 1967. Applicant: WRIGHT MOTOR LINES, INC., 1401 North Little Street, Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Rodger Spahr, Post Office Box 1191, Cushing, Okla. 74023. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet and textile products*, from points in Lafayette County, Ark., to points in Arizona, California, Colorado, Iowa, Kansas, Oklahoma, Missouri, New Mexico, and Texas, for 180 days. Supporting shipper: Cherokee Carpet Mills, Inc., Post Office Box 487, Lewisville, Ark. 71845. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission,

210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 116523 (Sub-No. 11 TA), filed December 4, 1967. Applicant: KEYSTONE TRUCK LINES, INC., 316 South Quincy, Tulsa, Okla. 74120. Applicant's representative: Prentiss Shelley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between Ponca City, Okla. and Enid, Okla., from Ponca City over Oklahoma Highway 11, to junction U.S. Highway 177, thence over U.S. Highway 177 to junction Oklahoma Highway 15, thence over Oklahoma Highway 15 to junction U.S. Highway 64, and thence over U.S. Highway 64 to Enid, and return over the same route, serving the intermediate points of Tonkawa, Garber, and Billings, Okla., for 180 days. NOTE: Carrier intends to tack the authority here applied for to other authority held by it, at the points of Enid and Ponca City, Okla. Supporting shippers: White's News Agency, Third and Emporia, Ponca City, Okla. 74601; Texas-Oklahoma Express, Inc., Post Office Box 743, Dallas 21, Tex.; Nickles Machine Corp., Post Office Box 1747, Ponca City, Okla.; Krivohlavek Hardware, Garber, Okla.; Bradshaw Dry Goods, Garber, Okla.; Rush Metals, Inc., Billings, Okla.; Britton Hardware, Billings, Okla. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 116887 (Sub-No. 1 TA) (Correction), filed December 4, 1967, published in FEDERAL REGISTER in Notice 508, and republished as corrected this issue. Applicant: GRIFFIN MOBLIN HOME TRANSPORTING CO., 9000 Southeast 29th Street, Oklahoma City, Okla. 73110. Applicant's representative: Jack L. Griffin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, in initial movements, from Claremore, Okla., to points in Missouri, Iowa, Illinois, Arkansas, Mississippi, Louisiana, Texas, Arizona, Colorado, Wyoming, New Mexico, Nebraska, and Kansas, for 180 days. NOTE: The purpose of this republication is to show the correct docket number as MC 116887 (Sub-No. 1 TA) in lieu of MC 116997 (Sub-No. 1 TA) as previously published. Supporting shipper: Scott Rich Homes, Ralph Connely, Jr., President, 710 West Ninth Street, Claremore, Okla. 74017. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 121593 (Sub-No. 1 TA), filed December 1, 1967. Applicant: JAMES C. RUSSELL, doing business as ABLE MOVING & STORAGE COMPANY, 711

Scott Street, Charleston Heights, S.C. 29405. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Dorchester, Charleston, and Berkeley Counties, S.C., restricted to shipments having a prior or subsequent movement beyond said counties in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and de-containerization of such shipments, for 180 days. Supporting shippers: Trans-American World Transit, Inc., 7540 South Western Avenue, Chicago, Ill. 60620; Pyramid Van Lines, Post Office Box 2373, Station B, San Francisco, Calif. 94126; Routed Thru-Pac, Inc., 350 Broadway, New York, N.Y. 10013. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 601A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 123993 (Sub-No. 6 TA), filed December 4, 1967. Applicant: FOGLEMAN TRUCK LINE, INC., 1724 West Mill Street, Post Office Box 1504, Crowley, La. 70526. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand bags*, from Crowley, La., to Defense General Supply Center, Richmond, Va., for 180 days. Supporting shippers: Crowley Industrial Bag Co., Inc., Post Office Box 726, Crowley, La. 70526; Continental Bag Co., 401 East Clay, Post Office Box 491, Crowley, La. 70526. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 124692 (Sub-No. 45 TA), filed December 1, 1967. Applicant: SAMMONS TRUCKING, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Charles E. Nieman, 1160 Northwest Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated steel beams, wall plates, channel lagging, liner plates, bolts, and nuts*, from Bedford Park, Ill., to jobsites of the Straight Creek Highway Tunnel, near Loveland Pass, between Dillon and Silver Plume, Colo., for 180 days. Supporting shipper: Commercial Shearing & Stamping Co., Youngstown, Ohio 44501. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 125420 (Sub-No. 16 TA), filed December 1, 1967. Applicant: MERCURY TANKLINES LIMITED, Post Office Box 5858, South Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Billings, Mont. 59101. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Alcoholic beverages*, in bulk, in tank vehicles, for the account of Barton Distilling Co., between the port of entry at or near Port Huron, Mich., on the international boundary line between the United States and Canada, and Bardstown, Ky., for 180 days. Supporting shipper: Barton Distilling Co., Bardstown, Ky. 40004. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 127689 (Sub-No. 13 TA), filed December 4, 1967. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Post Office Box 1326, Hattiesburg, Miss. 39401. Applicant's representative: W. N. Innis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards or sheets* (not wallboard or insulation), made from wood shavings, sawdust, or ground wood, from plantsite of Kroehler Manufacturing Co., Meridian, Miss., to plantsite of Singer Sewing Machine Co., Truman, Ark., for 180 days. Supporting shipper: Kroehler Manufacturing Co., Post Office Box 4176, West Station, Meridian, Miss. 39301. Send protests to: District Supervisor, Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 127834 (Sub-No. 15 TA), filed December 4, 1967. Applicant: CHEROKEE HAULING & RIGGING, INC., 540 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: M. Bryan Stanley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from plantsite of Jones & Laughlin Steel Corp., Putnam County, Ill., to points in Alabama, Arkansas, Georgia, Florida, Mississippi, and Tennessee, and *materials, equipment supplies* used in the manufacture and processing of iron and steel articles (except commodities in bulk), from points in Alabama, Arkansas, Georgia, Florida, Mississippi, and Tennessee, to the plantsite of Jones & Laughlin Steel Corp., Putnam County, Ill., for 180 days. Supporting shipper: Jones & Laughlin Steel Corp., Putnam County, Pa. 15230. Send protests to: Pittsburgh, Pa. 15230. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 129386 (Sub-No. 1 TA), filed December 1, 1967. Applicant: REESE, REESE & SHERMAN, INC., 233 Orchard Lane, Billings, Mont. 59101. Applicant's representative: R. F. Hibbs, Post Office Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, fresh, salted, cooked, cured, or preserved*, from Billings Mont., to points in California, Nevada, Oregon, Utah, and Washington, for 180 days. Supporting shipper: Midland Empire Packing Co., Inc., Post Office Box 1375, Billings, Mont. 59103.

Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 129490 (Sub-No. 1 TA) (Correction), filed October 26, 1967, published FEDERAL REGISTER, issue of November 7, 1967, and republished as corrected this issue. Applicant: HOLMES DEHAVEN, doing business as FRIGID INSTITUTIONAL DELIVERIES, Route 3, Box 86, Berkeley Springs, W. Va. 25411. Applicant's representative: Charles E. Creager, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen meats* from Chicago, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia; and (2) *fresh meats* on return, from points in Texas to Chicago, Ill., for the account of Frigidmeats, Inc., for 150 days. Supporting shipper: Frigidmeats, Inc., 3755 South Racine Avenue, Chicago, Ill., 60609, Sidney Jaffe, President. Note: The purpose of this republication is to add the return movement inadvertently omitted from the previous publication. Send protests to: J. A. Niggemyer, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 531 Hawley Building, Wheeling, W. Va. 26003.

No. MC 129562 TA, filed December 4, 1967. Applicant: MARCEL AUDET, Rural Route No. 1, Chambly, Quebec, Canada. Applicant's representative: W. Norman Charles, 30 Bay Street, Glens Falls, N.Y. 12801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood board and dressed wood*, from ports of entry on the international boundary line between the United States and Canada at or near Detroit, Mich.; Alexandria Bay, Champlain, Ogdensburg, and Rouses Point, N.Y.; and Highgate Springs, Newport, North Troy, and Norton, Vt.; to Hartford, Conn.; Wilmington and Dover, Del.; Washington, D.C.; Chicago, Ill.; Richmond, Salem, and Terre Haute, Ind.; Portland, Maine; Baltimore, Md.; Boston and Gardner, Mass.; Detroit, Mich.; Keene, N.H.; Cranburg, N.J.; Brooklyn, Buffalo, New York, Syracuse, and Rochester, N.Y.; Cleveland and Columbus, Ohio; Montrose, Philadelphia, Pittsburgh, and Scranton, Pa.; Cranston and Providence, R.I.; Burlington, Montpelier, and Barre, Vt.; Richmond, Va.; and Charleston, W. Va., for 150 days. Supporting shipper: J. C. Martel, Inc., St. Michel des Saints, Quebec, Canada. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 38, Montpelier, Vt. 05602.

No. MC 129563 TA, filed December 4, 1967. Applicant: ONONDAGA BEVERAGE TRANSPORT, INC., 345 Spencer

Street, Syracuse, N.Y. 13204. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages in containers* only (and not in bulk in tank trucks), from Natick and Willimansett, Mass.; Cleveland, Ohio; New York, N.Y.; and the port of entry between the United States and Canada at or near Buffalo, N.Y.; and Newark, N.J.; to Syracuse, Watertown, and Auburn, N.Y., and *empty containers* on return, under continuing contracts with Onondaga Beverage Corp., Owasco Beverage Corp., and Best Distributing Co., Inc., for 150 days. Supporting ship-

pers: Onondaga Beverage Corp., 345 Spencer Street, Syracuse, N.Y. 13204; Owasco Beverage Corp., 161 York Street, Post Office Box 97, Auburn, N.Y. 13022; Best Distributing Co., Inc., Post Office Box 205, Watertown, N.Y. 13601. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Building, 301 Erie Boulevard, West Syracuse, N.Y. 13202.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-14589; Filed, Dec. 14, 1967;
8:48 a.m.]

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