

indicate that the violation rate is less than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the violation rate is less than 1.0 percent but equal to or greater than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 10 percent, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 0.5 percent but less than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 25 percent.

When the minimum annual percentage rate for random alcohol testing is 25 percent or less, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 50 percent.

When the minimum annual percentage rate for random drug testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the positive rate is less than 1.0 percent.

When the minimum annual percentage rate for random drug testing is 25 percent, and the data received under the MIS reporting requirements for any calendar year indicate that the reported positive rate is equal to or greater than 1.0 percent, the Administrator will increase the minimum annual percentage rate for random drug testing to 50 percent.

There is a one year lag in the adjustment in the minimum annual percentage rates for random drug and alcohol testing because MIS data for a given calendar year is not reported to the FAA until the following calendar year. For example, MIS data for 1995 is not reported to the FAA until March 15, 1996, and any rate adjustments resulting from the 1995 data are not effective until January 1, 1997, following publication by the FAA of a notice in the Federal Register.

The minimum annual percentage rate for random alcohol testing was 25 percent for calendar year 1995. In this notice, the FAA announces that it has determined that the violation rate for calendar year 1995 is less than one-half

of one percent positive, at approximately 0.06 percent. Since the violation rate is less than one-half of one percent, and it is the first year for which alcohol testing data were required to be reported under the MIS reporting requirements, the minimum annual percentage rate for random alcohol testing for aviation industry employers for calendar year 1997 will remain at 25 percent.

The minimum annual percentage rate for random drug testing was also 25 percent in calendar year 1995. Therefore, the FAA is also announcing that it has determined that the positive rate for calendar year 1995 is less than 1 percent, at approximately 0.69 percent, and that the minimum annual percentage rate for random drug testing for aviation industry employers for calendar year 1997 will remain at 25 percent.

Dated: December 18, 1996.  
Jon L. Jordan,  
Federal Air Surgeon.  
[FR Doc. 96-32695 Filed 12-23-96; 8:45 am]  
BILLING CODE 4910-13-M

#### [Summary Notice No. PE-96-60]

#### **Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before January 13, 1997.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. \_\_\_\_\_, 800

Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: [nprmcmts@faa.dot.gov](mailto:nprmcmts@faa.dot.gov).

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:** Fred Haynes (202) 267-3939 or Angela Anderson (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on December 19, 1996.

Donald P. Byrne,  
Assistant Chief Counsel for Regulations.

#### Petitions for Exemption

*Docket No.:* 28648.

*Petitioner:* R-22/R-44 Operators and Pilots Association.

*Sections of the FAR Affected:* 14 CFR part 91, SFAR 73, para. 2(b)(5)(ii).

*Description of Relief Sought:* To permit flight instructors who have satisfactorily complete a Federal Aviation Administration-approved 14 CFR part 141 flight instructor certification course to provide instruction in a Robinson R-22 or R-44 helicopter after having logged a minimum of 150 flight hours in an R-22 or R-44 helicopter, as appropriate.

*Docket No.:* 28664.

*Petitioner:* Doug Myers.

*Sections of the FAR Affected:* 14 CFR 91.205(b)(12).

*Description of Relief Sought:* To permit the operation of an aircraft for hire over water and beyond power-off gliding distance from shore without at least one pyrotechnic signaling device on board.

*Docket No.:* 28705.

*Petitioner:* Atlantic Aero, Inc.

*Sections of the FAR Affected:* 14 CFR 61.51(c)(3).

*Description of Relief Sought:* To allow Atlantic Aero and Mid-Atlantic Freight pilots to log, as second-in-command flight time, certain flight experience during which more than one pilot is not required either under the type certificate

of the aircraft, or the regulations under which the flight is conducted.

[FR Doc. 96-32688 Filed 12-23-96; 8:45 am]

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[Summary Notice No. PE-96-61]

**Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before January 13, 1997.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. \_\_\_\_\_, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: [nprmcmts@faa.dot.gov](mailto:nprmcmts@faa.dot.gov).

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:** Fred Haynes (202) 267-3939 or Angela Anderson (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on December 19, 1996.

Donald P. Byrne,  
*Assistant Chief Counsel for Regulations.*

**Petitions for Exemption**

*Docket No.:* 28687

*Petitioner:* Aerospace Industry Association

*Sections of the FAR Affected:* 14 CFR 25.1397(a)

*Description of Relief Sought:* Petitioners request permanent exemption from the color (chromaticity) requirements of Section 25.1397(a) for red position lights and, by reference within Section 25.1401(d), the color requirements for red anticollision lights for inservice aircraft and those in production or being certificate. Petitioners propose the use of color chromaticity boundaries for red anticollision lights so that anticollision red—'y' is not greater than 0.350, and 'z' is not greater than 0.020, as opposed to the current requirement of 'y'=0.335 and 'z'=0.002.

*Docket No.:* 28695

*Petitioner:* Airbus Industrie

*Sections of the FAR Affected:* 14 CFR 25.1397(a)

*Description of Relief Sought:* Petitioner requests permanent exemption from the color (chromaticity) requirements of Section 25.1397(a) for red position lights and, by reference within Section 25.1401(d), the color requirements for red anticollision lights for inservice aircraft and those in production or being certificate. Petitioner proposes the use of color chromaticity boundaries for red anticollision lights so that anticollision red—'y' is not greater than 0.350, and 'z' is not greater than 0.020, as opposed to the current requirement of 'y'=0.335 and 'z'=0.002.

*Docket No.:* 28720

*Petitioner:* Boeing Commercial Airplane Group

*Sections of the FAR Affected:* 14 CFR 25.785(b) and 25.562

*Description of Relief Sought:* It is requested that a stowable hospital berth installation, for non-ambulatory persons, be exempt from compliance with all dynamic testing and personal injury requirements defined in §§ 25.785(b) and 25.562, for the Boeing Model 777-200 and -300 airplanes.

*Docket No.:* 28744

*Petitioner:* Boeing Commercial Airplane Group

*Sections of the FAR Affected:* 14 CFR 25.562

*Description of Relief Sought:* The petitioner requests relief from the

flight deck floor warpage testing requirements of § 25.562 flight deck seats on the Boeing Model 757-300 airplane.

[FR Doc. 96-32696 Filed 12-23-96; 8:45 am]

BILLING CODE 4910-13-M

**Federal Railroad Administration**

**Proposed Agency Information Collection Activities; Comment Request**

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** On June 18, November 22, and November 29, 1996, the Federal Railroad Administration (FRA) published final rules amending the railroad accident reporting regulations at 49 CFR part 225. 61 FR 30940, 61 FR 59368, 61 FR 60632, respectively. In response to the final rule published June 18, 1996, several railroads and railroad associations filed petitions for reconsideration raising various concerns with its contents and its implementation date of January 1, 1997. Some of those concerns were addressed by FRA in the November 22, 1996 Federal Register document (61 FR 59368). The other issues were addressed in a document issued December 16, 1996 (FRA Docket No. RAR-4, Notice No. 16), which will be published in the Federal Register on December 23, 1996.

Four of the several rules to amend 49 CFR part 225 that were issued on December 16, 1996, contain amendments to the approved information collection activities, while one adds a new information collection requirement. In accordance with the Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, the Federal Railroad Administration (FRA) is announcing a 60-day comment period on these amendments. The information collection requirements contained in the June 18, 1996, final rule were approved by the Office of Management and Budget (OMB) under the PRA under OMB control number 2130-0500. This approval expires on August 31, 1999.

Below are brief summaries of the five amendments to 49 CFR part 225 that constitute information collection activities that FRA will submit for clearance by OMB as required by the PRA:

1. FRA is excepting from the requirements regarding an Internal