

training flights, aerial photography or survey charters, and fire fighting charters.”

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Regional Office, Airports Division, ANM-600, 1601 Lind Avenue SW, Suite 315; Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at Portland International Airport, Portland, Oregon.

Issued in Renton, Washington on January 19, 1999.

**David A. Field,**

*Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.*

[FR Doc. 99-1840 Filed 1-26-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[FHWA Docket No. FHWA-98-4839]

#### Transportation Equity Act for the 21st Century; Federal Highway Post-Accident Alcohol Testing Study

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; request for comments.

**SUMMARY:** This notice invites public comments on issues relating to the legislative requirement to conduct a study and report to the Congress on the feasibility of utilizing law enforcement officers for conducting post-accident alcohol testing of commercial motor vehicle operators provided in section 4020 of the Transportation Equity Act for the 21st Century (TEA-21), Pub. L. 105-178, 112 Stat. 107, 414. The FHWA is initiating the study and would like all comments to address the following issues:

(1) The impact of current post-accident alcohol testing requirements on commercial motor carrier employers, including any burden that they may encounter in attempting to perform an alcohol test within two hours of an accident; and

(2) The feasibility of utilizing law-enforcement officers for conducting post-accident alcohol testing of commercial motor vehicle operators as a method of obtaining more timely information.

**DATES:** This docket will remain open until the study is completed. However, in order for comments responding to

issues raised by this notice to be considered during critical early stages of the study, they should be submitted no later than March 29, 1999.

**ADDRESSES:** Signed, written comments should refer to the docket number that appears at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Dr. Alfred E. Barrington, DTS-34, Safety and Environmental Technology Division, (617) 494-2018, Volpe National Transportation Systems Center, 55 Broadway, Cambridge, MA 02142; or Mr. Michael Falk, Office of the Chief Counsel, (HCC-20), (202) 366-1384, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

##### Background

Section 4020 of TEA-21, Post-Accident Alcohol Testing, requires:

(a) **STUDY.** —The Secretary [of Transportation] shall conduct a study of the feasibility of utilizing law enforcement officers for conducting post-accident alcohol testing of commercial motor vehicle operators under section 31306 of title 49, United States Code, as a method of obtaining more timely information. The study shall also assess the impact of the current post-accident alcohol testing requirements on motor carrier employers, including any burden that employers may encounter in meeting the testing requirements of such section 31306.

(b) **REPORT.** —Not later than 18 months after the date of enactment of this Act, the Secretary shall transmit to

Congress a report on the study, together with such recommendation as the Secretary determines appropriate.

Under 49 CFR 382.303, commercial motor vehicle operators must be tested for alcohol and controlled substances as soon as practicable following an accident if:

(1) The accident involved the loss of human life, regardless of whether the operator was issued a citation for a moving traffic violation; or

(2) The operator was issued a citation under State or local law for a moving traffic violation arising from the accident and the accident involved:

(a) Bodily injury requiring medical treatment away from the accident scene; or

(b) Disabling damage to any motor vehicle requiring its removal from the accident scene by tow truck or other motor vehicle.

If the required post-accident alcohol test is not administered within two hours following the accident, the commercial motor carrier employer must prepare and maintain on file a record stating the reason the test was not promptly administered. If the test is not administered within eight hours following the accident, the employer must cease attempting to administer the test and shall prepare and maintain an appropriate record.

Comments and suggestions are invited concerning any aspects as to the feasibility of the post-accident alcohol test by police and the burden imposed on commercial motor carriers by the existing requirements. Of concern are operational, legal and financial factors, as well as equipment, human resources and training. Comments are requested specifically on the following questions that arise from the above requirements.

1. Are law-enforcement agencies and commercial motor carrier employers aware of the Federal regulation that requires motor carrier employers to test drivers for alcohol “as soon as practicable” if involved in an accident?

2. Do law-enforcement agencies/commercial motor carrier employers believe that this test is feasible?

3. Are commercial motor vehicle operators aware that they are required under certain circumstances to be tested for alcohol after being involved in an accident?

4. Are commercial motor carrier employers equipped to test a commercial motor vehicle operator for alcohol within two hours after an accident?

5. Are police equipped to test a commercial motor vehicle operator for alcohol within two hours of an accident?

6. If so equipped, can police be required to test a commercial motor vehicle operator for alcohol after an accident as an additional duty, regardless as to whether he or she was issued a citation?

**Authority:** 23 U.S.C. 315; 49 U.S.C. 31306; sec. 4020, Pub. L. 105-178, 112 Stat. 107, 414; and 49 CFR 1.48.

Issued on: January 21, 1999.

**Kenneth R. Wykle,**

*Federal Highway Administrator.*

[FR Doc. 99-1841 Filed 1-26-99; 8:45 am]

BILLING CODE 4910-22-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-20943]

#### **Coach USA, Inc. and Coach Canada, Inc.—Control—Autocar Connaissanceur, Inc.**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice Tentatively Approving Finance Transaction.

**SUMMARY:** Coach USA, Inc. (Coach), a noncarrier that controls numerous motor passenger carriers, and its wholly owned noncarrier subsidiary, Coach Canada, Inc. (Coach Canada) (collectively, applicants), filed an application under 49 U.S.C. 14303 for control of Autocar Connaissanceur, Inc. (Autocar II), an entity that intends to become a motor carrier of passengers. Persons wishing to oppose the application must follow the rules under 49 CFR 1182.5 and 1182.8.<sup>1</sup> The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by March 15, 1999. Applicants may file a reply by April 5, 1999. If no comments are filed by March 15, 1999, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC-F-20943 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, send one copy of comments to applicants' representatives: Betty Jo Christian and David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue, N.W., Washington, DC 20036.

<sup>1</sup> Revised procedures governing finance applications filed under 49 U.S.C. 14303 were adopted in *Revisions to Regulations Governing Finance Applications Involving Motor Passenger Carriers*, STB Ex Parte No. 559 (STB served Sept. 1, 1998).

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

**SUPPLEMENTARY INFORMATION:** Coach currently controls a number of motor passenger carriers. Coach Canada is a wholly owned Coach subsidiary established for the purpose of obtaining control of those motor passenger carriers that Coach currently controls that are based in Canada, as well as Canada-based motor passenger carriers that Coach and Coach Canada may in the future seek to control. In their application, Coach and Coach Canada state that Coach assumed control of Autocar Connaissanceur, Inc. (Autocar I) by a stock transaction that was consummated on December 19, 1996. Applicants indicate that Coach did not until recently determine that Autocar I holds not only operating authority from Canadian agencies, but also authority issued by the Interstate Commerce Commission. Having discovered this unresolved control issue, Coach and Coach Canada sought Board authority in STB Docket No. MC-F-20938 to control this carrier.<sup>2</sup>

Applicants state that, under Canadian law, Autocar I is to be amalgamated (merged) with three other noncarrier entities with which it is affiliated by common ownership: Connaissanceur Parts Distribution, Inc., Agencie de Vehicules Connaissanceur, Inc., and 170861 Canada, Inc. Applicants aver that each of these four corporations now shares common ownership with Autocar I, and that the ultimate parent of each within the Connaissanceur Group of companies is 3329003 Canada, Inc., a noncarrier owned by Coach. Applicants further contend that the product of the amalgamation transaction will be a new corporate entity also to be known as Autocar Connaissanceur, Inc. (Autocar II). Applicants state that, following the amalgamation, Autocar II will carry on the same motor carrier business now conducted by Autocar I, under the same management that now operates Autocar I, and pursuant to the same operating authorities now held by Autocar I. Applicants aver that the amalgamation will in fact be "invisible" to Autocar's customers.

<sup>2</sup> Autocar I is a Quebec corporation. It holds federally issued operating authority in Docket No. MC-166643, allowing it to conduct charter and special operations between certain U.S./Canada border crossings and points in the United States. Autocar I operates a fleet of approximately 180 buses and employs approximately 250 full and part time persons. Autocar I's annual revenues for the twelve month period ending June 1998 were approximately \$12.1 million. Autocar II will undertake the same business operations now conducted by Autocar I.

Applicants state that granting the application will not result in any changes to carrier operations that are now being conducted and will not reduce competitive options available to the traveling public. They assert that Autocar II is relatively small and will face substantial competition from other bus companies and modes of transportation.

Applicants also submit that granting the application will produce substantial benefits, including reduced fixed charges in the form of interest cost savings from the restructuring of debt and reduced operating costs from Coach's enhanced volume purchasing power. Specifically, applicants claim that Autocar II will benefit from the lower insurance premiums negotiated by Coach or Coach Canada and from volume discounts for equipment and fuel. Applicants indicate that Coach will provide Autocar II with centralized legal and accounting functions and coordinated purchasing services. In addition, applicants state that vehicle sharing arrangements will be facilitated through Coach or Coach Canada to ensure maximum use and efficient operation of equipment. Applicants aver that, with Coach's and Coach Canada's assistance, coordinated driver training services will be provided, enabling Autocar II to allocate driver resources in the most efficient manner possible. Applicants add that the proposed transaction will have no adverse impacts on the employees of Autocar II and that collectively bargained agreements will be recognized.

Applicants state that Coach Canada, like other management subsidiaries that Coach has established to assume control of, and manage the operations of, motor passenger carriers as to which control authority has previously been granted to Coach, will focus its efforts on those carriers that are based in Canada. Applicants also indicate that Coach Canada will be responsible for developing strategic business and growth plans for the Canadian based entities that it seeks to control, and for assessing opportunities for further Canadian acquisitions of passenger transportation entities. Applicants add that, over the long term, Coach and Coach Canada will provide centralized marketing and reservation services for the bus firms that they control, thereby further enhancing the benefits resulting from these control transactions.

Applicants certify that: (1) Autocar II does not hold an unsatisfactory safety rating from the U.S. Department of