

■ 3. Add § 165.T09–257 to read as follows:

§ 165.T09–257 Tall Ships 2003, Navy Pier, Lake Michigan, Chicago, IL.

(a) *Regulated navigation area; location.* The following is a regulated navigation area: starting at the Alder Planetarium at 41°52'00" N, 87°36'22" W; then east to 41°52'00" N, 087°35'26" W; then north to the southern most end of the outer Chicago Harbor break wall at 41°52'48" N, 087°35'26" W; then north and then northwest following the outer Chicago Harbor break wall to 41°54'11" N, 087°36'29" W; then southeast to the north-east tip of the Central District Filtration Plant; then following the shoreline including up the Chicago River to the eastern side of the Michigan Avenue bridge back to the point of origin (NAD 83).

(b) *Effective period.* This section is effective from 8 p.m. on Wednesday, July 30, 2003 until 5 p.m. on Monday, August 4, 2003.

(c) *Special regulations.* Vessels within the RNA shall not exceed 5 miles per hour or shall proceed at no-wake speed, whichever is slower. Vessels within the RNA shall not pass within 20 feet of a moored tall ship. Vessels within the RNA must adhere to the direction of the Patrol Commander or other official patrol craft.

Dated: July 24, 2003.

Ronald F. Silva,

Rear Admiral, Coast Guard, Commander, Ninth Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[DOT Docket No. NHTSA–2002–13704]

RIN: 2127–AH23

Federal Motor Vehicle Safety Standards; Definition of Multifunction School Activity Bus

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This final rule establishes a new class of school buses, multifunction school activity buses, for use in transporting children on trips other than those between home and school. We anticipate that this final rule will also facilitate efforts by the Federal Transit Administration to provide

funding to Head Start programs and coordinated transportation providers to purchase the school buses. Currently, that Administration is prohibited from providing financial assistance to purchase regular yellow school buses that exclusively transport students and school personnel in competition with a private school bus operator. We anticipate that the new buses will be used for coordinated transportation purposes by State and local social services agencies, which may, for example, use the new buses to transport children from Head Start facilities to school in the morning, and to transport senior citizens later in the day. Finally, enabling schools and other institutions to choose the new buses instead of a 15-passenger van will provide them with a safer transportation alternative.

DATES: *Effective date:* The effective date for the final rule is: September 2, 2003. Manufacturers are provided optional early compliance with this final rule beginning July 31, 2003. *Petitions for reconsideration:* Petitions for reconsideration of the final rule must be received not later than September 15, 2003.

ADDRESSES: Petitions for reconsideration of the final rule must refer to the docket and notice number set forth above and be submitted to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC, 20590, with a copy to Docket Management, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

For non-legal issues, you may call Mr. Charles Hott, Office of Crashworthiness Standards at (202) 366–0247. His FAX number is (202) 493–2739.

For legal issues, you may call Ms. Dorothy Nakama, Office of the Chief Counsel at (202) 366–2992. Her FAX number is (202) 366–3820.

You may send mail to both of these officials at National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC, 20590.

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Text of the Final Rule

I. Executive Summary

This final rule establishes a new class of school buses, multifunction school activity buses (MFSABs), for use in transporting children on trips other than those between home and school.

Under current Federal law, dealers cannot sell a bus for the purpose of transporting school-age students to or from school or related events unless it meets all requirements in all Federal motor vehicle safety standards for school buses. Among those requirements are ones requiring all school buses to be equipped with control traffic (*i.e.*, flashing lights and stop arms) designed to avoid crashes and injuries to pedestrians. The standards require those devices to deploy automatically when the front entrance door is opened.

Those traffic control devices are primarily intended to be used on trips involving picking school children up from or dropping them off at a roadside location at or near home. However, not all school children trips involve picking children up from or dropping them off at such locations. For example, some trips involve taking children from a before-school facility to a school or from a school to an after-school facility. State laws do not permit the use of the traffic control devices on those trips.

This rulemaking excludes MFSABS from the requirements for the traffic control devices. This exclusion resolves the conflict between the NHTSA standards that previously required all