

23. If some double combinations are to be classified as LCV's and others are not to be classified as LCV's, how shall the difference be defined?

Injury Severity Determinations

NHTSA and FHWA are interested in the public's comments and suggestions regarding data collection issues not only on the specific safety areas addressed above, but also relating to the issue of injury severity determinations. There is currently no consistent application of the standard definition of injury severity found in the ANSI D16.1 Manual on Classification of Motor Vehicle Traffic Accidents: fatal, incapacitating, nonincapacitating, possible, no injury. Application of this injury scale depends on evaluation at the crash scene by police officers with little or no medical training. Consequently, people with injuries of different medical severities are often included within the same class because of differing interpretations of how severely a crash victim is injured. Frequently, emergency medical services transport of a victim for treatment is enough to code "incapacitating injury." On the other hand, some injuries are not immediately evident at the scene of the crash, and a victim who is later diagnosed with a serious injury can be initially classified as "not injured." This lack of standard application makes it difficult to determine the extent of the injury problem or to combine data from various jurisdictions. We are soliciting information on the following issues:

24. Is it feasible to standardize or change the application of the injury classification scale in a way that would allow valid judgments by officers on the scene?

25. If so, how should the highway safety community accomplish this?

26. Are there other methods for determining the nature and extent of the injury problem without requiring the collection of these data at the crash site? What are these methods?

27. Is it feasible to collect this information through the linking of EMS and hospital data with PARs?

NHTSA seeks public comment on the issues discussed above. Interested individuals or groups are invited to submit comments on these and any related issues. It is requested, but not required that ten copies of each comment be submitted. Written comments to the docket must be received on or before July 20, 1995. In order to expedite the submission of comments, simultaneous with the issuance of this notice, copies will be mailed to all State Governor's Highway Safety Representatives. Comments should not exceed 15 (fifteen) pages in

length. Necessary attachments may be appended to those submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise manner. All comments received before the close of business on the comment closing date listed above will be considered and will be available for examination in the docket room at the above address both before and after that date. To the extent possible, comments filed after the closing date will be considered. The Agency will continue to file relevant information as it becomes available. It is recommended that interested persons continue to examine the docket for new material. Those people desiring to be notified upon receipt of their comments by the docket section should include a self-addressed, stamped postcard in the envelope with their comments. Upon receipt of their comments, the docket supervisor will return the postcard by mail.

Issued on: June 15, 1995.

Donald C. Bischoff,

Associate Administrator for Plans and Policy.
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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket No. 95-10]

Preemption Determination

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is publishing its response to a written request for the OCC's determination of whether Federal law preempts the application of a Texas regulation that prescribes certain requirements relating to the signs and advertising used to identify branch banking facilities located in Texas. The OCC has determined that Federal law does not preempt the application of this regulation to national banks located in Texas. Section 114 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 (the Riegle-Neal Act) requires publication of opinion letters concluding that Federal law preempts certain State statutes and regulations. While publication is not required for opinion letters concluding that Federal law does not preempt the State law, the OCC has decided to publish this letter in order to

disseminate broadly its conclusions on preemption issues covered by the Riegle-Neal Act's publication requirements.

FOR FURTHER INFORMATION CONTACT: Sue E. Auerbach, Senior Attorney, Bank Activities and Structure Division, 250 E Street, SW, Eighth Floor, Washington, DC 20219, (202) 874-5300.

SUPPLEMENTARY INFORMATION:

Background

Section 114 of the Riegle-Neal Act, Pub.L. 103-328 (12 U.S.C. 43), generally requires the OCC to publish in the **Federal Register** a descriptive notice of certain requests that the OCC receives for preemption determinations. The OCC must publish this notice before it issues any opinion letter or interpretive rule concluding that Federal law preempts the application to a national bank of any State law regarding community reinvestment, consumer protection, fair lending, or the establishment of intrastate branches (four designated areas). The OCC must give interested persons at least 30 days to submit written comments, and must consider the comments in developing the final opinion letter or interpretive rule.

The OCC must publish in the **Federal Register** any final opinion letter or interpretive rule that concludes that Federal law preempts State law in the four designated areas. It may, at its discretion, publish any final opinion letter or interpretive rule that concludes that State law in these areas is not preempted. The Riegle-Neal Act also provides certain exceptions, not applicable to the present request, to the **Federal Register** publication requirements.

Specific Request for OCC Preemption Determination

On March 10, 1995, the OCC published in the **Federal Register** (60 FR 13205) notice of a request for the OCC's determination of whether Federal law preempts the application of Texas Rule 3.92, 7 Tex. Admin. Code Section 3.92 (Rule), "Naming and Advertising of Branch Facilities," in its entirety, to national banks. The Rule was adopted by the Texas State Finance Commission on August 19, 1994, pursuant to Texas Civil Statutes section 342-917, "Identification of Facilities," which generally provides that a bank may not use any form of advertising that implies or tends to imply that a branch facility is a separate bank.

The Rule, like the statute, prohibits advertising of a branch facility in a manner which implies or fosters the