

and international laws, regulations and treaties.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96-21; Notice 01]

RIN 2127-AF68

Federal Motor Vehicle Safety Standards; Seat Belt Assembly Anchorages

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

ACTION: Final rule.

SUMMARY: This rule deletes two owner's manual requirements in Standard No. 210, "Seat Belt Anchorages." Standard No. 210 requires that manufacturers include a diagram in their owner's manuals showing the location of any shoulder belt anchorages required by the standard, if the vehicle is not equipped with shoulder belts at those locations. Standard No. 210 also requires the inclusion of owner's manual information concerning the use and the installation of child safety seats in vehicles equipped with an automatic belt at the right front outboard seating position, if the belt cannot be used to secure a child seat. NHTSA believes it is appropriate to delete these requirements because they are or soon will be obsolete.

DATES: Effective Dates: The removal of paragraph S6(c) of § 571.210 is effective June 3, 1996. The removal of S7 of § 571.210 is effective September 1, 1998.

Petition Date: Any petitions for reconsideration must be received by NHTSA no later than June 17, 1996.

ADDRESS: Any petitions for reconsideration should refer to the docket and notice number of this notice and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590:

For non-legal issues: Clarke B. Harper, Office of Crashworthiness Standards, NPS-11, telephone (202) 366-4916, facsimile (202) 366-4329, electronic mail "charper@nhtsa.dot.gov".

For legal issues: Mary Versailles, Office of the Chief Counsel, NCC-20, telephone (202) 366-2992, facsimile (202) 366-3820, electronic mail "mversailles@nhtsa.dot.gov".

SUPPLEMENTARY INFORMATION: Pursuant to the March 4, 1995 directive, "Regulatory Reinvention Initiative," from the President to the heads of departments and agencies, NHTSA undertook a review of all its regulations and directives. During the course of this review, the agency identified several requirements and regulations that are potential candidates for amendment or rescission, including two owner's manual information requirements in Standard No. 210, "Seat Belt Assembly Anchorages."

NHTSA believes that these requirements should be deleted because they are or soon will be obsolete. The first requirement is in paragraph S6(c), which requires that vehicle manufacturers include a diagram in their vehicle owner's manuals showing the location of any shoulder belt anchorages required by the standard, if their vehicles are not equipped with shoulder belts at those locations. This requirement was intended to ensure that consumers were aware of the existence of beltless anchorages in rear seating locations. The other requirement is in paragraph S7, which requires the inclusion of owner's manual information concerning the use and the installation of child safety seats in vehicles equipped with an automatic belt at the right front outboard seating position, if the belt cannot be used to secure a child seat.

Paragraph S6(c) is currently not applicable to any vehicle. Since September 1, 1991, all rear seating positions which are required by Standard No. 210 to have a shoulder belt anchorage are also required by Standard No. 208, "Occupant Crash Protection," to have shoulder belts installed. As there are no longer any required, but unused, rear outboard shoulder belt anchorages, the agency is deleting this requirement.

With regard to the requirements of S7 of Standard No. 210 requiring information concerning installation of child restraints in a seating position with an automatic belt, several recent amendments to Standard No. 208 will make this owner's manual requirement obsolete after September 1, 1998. First, a final rule published on September 2, 1993, requires an air bag and manual belt at the right front outboard seating position in passenger cars and light trucks by September 1, 1998 (58 FR 46551). After that date, automatic belts

will not be installed in those seating positions. Second, a final rule published on October 13, 1993, requires manual belts installed at any seating position other than the driver's position in vehicles manufactured after September 1, 1995, to be capable of tightly securing a child safety seat without the necessity of the user's attaching any device to the safety belt system (58 FR 52922). This "lockability" requirement will also be described in the owners manual. The combination of the manual belt requirement and the lockability requirement will make Section 7 of 210 obsolete after September 1, 1998.

NHTSA is not soliciting public comment on these amendments. NHTSA finds for good cause that notice and opportunity to comment are unnecessary because the amendments are technical in nature. They delete requirements addressing circumstances that have been or will be eliminated by other requirements in the Federal Motor Vehicle Safety Standards.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." This action has been determined to be not "significant" under the Department of Transportation's regulatory policies and procedures. Because this rule deletes obsolete provisions, no cost or saving will result.

Regulatory Flexibility Act: NHTSA has also considered the impacts of this rule under the Regulatory Flexibility Act. I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. As explained above, NHTSA does not anticipate any economic impact from this rulemaking action.

Paperwork Reduction Act: In accordance with the Paperwork Reduction Act of 1980 (P.L. 96-511), there are no requirements for information collection associated with this rule.

National Environmental Policy Act: NHTSA has also analyzed this rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

Executive Order 12612 (Federalism): NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and

has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform: This rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, 49 CFR Part 571 is amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for Part 571 of Title 49 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

2. § 571.210 is amended by removing paragraph S6(c) and S7.

Issued on April 25, 1996.

Ricardo Martinez,

Administrator.

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49 CFR Part 571

[Docket No. 96-29, Notice 01]

RIN 2127-AG28

Federal Motor Vehicle Safety Standards; Hydraulic Brake Systems

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule, technical amendment.

SUMMARY: This document deletes an obsolete section of Standard No. 105, *Hydraulic brake systems*, that relates to an optional burnish procedure. This section is obsolete because the time period to which it specifies is in the past.

EFFECTIVE DATE: This rule is effective June 3, 1996.

FOR FURTHER INFORMATION CONTACT: For nonlegal issues: Mr. Robert M. Clarke, Office of Crash Avoidance, telephone (202) 366-4923.

For legal issues: Mr. Marvin Shaw, Office of Chief Counsel, NCC-20, (202) 366-2992. Both may be reached at the National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: Pursuant to the President's March 4, 1995, directive, "Regulatory Reinvention Initiative," to the heads of departments and agencies, NHTSA undertook a review of all its regulations and directives. During the course of this review, the agency identified several requirements and regulations that are potential candidates for rescission. In reviewing Standard No. 105, the agency concluded that a section relating to the optional burnish requirements in S7.4.2.1(a) was obsolete and should be deleted.¹ The optional burnish requirements applied to vehicles manufactured before September 1, 1994, because the agency wanted to provide this option for a finite period of time. To improve the clarity and conciseness of Standard No. 105, the agency is deleting S7.4.2.1(a) from the standard.

NHTSA finds good cause to make this amendment effective 30 days after publication of this document. This amendment makes a minor change to Standard No. 105.

NHTSA also finds for good cause that notice and an opportunity for comment on this document are unnecessary. This document does not impose any additional responsibilities on any manufacturer. Instead, this document simply removes an outdated provision in the standard.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." Further, this action has been determined to be not "significant" under the Department of Transportation's regulatory policies and procedures. This rule removes an outdated portion of Standard 105 without changing any of the requirements in the standard. Because this rule does not affect any substantive requirement of the hydraulic brake standard, its impacts are so minimal as

¹ During this review, the agency identified another obsolete reference in S7 which was deleted in a December 13, 1995, final rule (60 FR 63965).

not to warrant preparation of a full regulatory evaluation.

Regulatory Flexibility Act: NHTSA has also considered the impacts of this rule under the Regulatory Flexibility Act. I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. As noted above, this rule simply removes an outdated portion of Standard 105. It has no effect whatsoever on the manufacture or sale of vehicles.

National Environmental Policy Act: NHTSA has also analyzed this rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

Executive Order 12612 (Federalism): NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform: This rule will not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, the agency is amending 49 CFR 571.105, *Hydraulic brake systems*, to read as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

§ 571.301 [Amended]

2. Section 571.105 is amended by revising S7.4.2.1 to read as follows: