

considering the possibility of proposing a stability standard applicable to all light duty vehicles because multistage manufacturers, especially van converters, which are often small business entities, could be affected by such a standard. NHTSA is not suggesting that that Act would prevent the issuance of such a standard or that the concerns about impacts on small manufacturers were insurmountable regardless of what approach is taken by the agency in setting the standard. In fact, a standard limited to compact SUVs would essentially eliminate those impacts because few, if any, of those vehicles are produced by multistage or other small manufacturers.

F. NHTSA's Alleged Lack of a Comprehensive Rollover Program

The petitioners characterized NHTSA's identification of seven separate measures as part of a comprehensive agency plan to address rollovers as simply "a chronicle of ongoing or prospective crash reduction programs that are not aimed uniquely at mitigating rollover losses." The petition went on to complain that some of the measures "may never come to fruition," and that others have not been specifically tailored by the agency to address the rollover problem. The petitioners concluded by stating their belief that NHTSA's comprehensive program for rollover is really an attempt to try to persuade the public that the agency is taking action on rollover safety, notwithstanding the termination of the vehicle stability rulemaking.

The agency believes that the question of whether the activities comprising its comprehensive rollover program uniquely address rollover safety is irrelevant if those activities effectively address that issue. If NHTSA can take actions, such as issuing a standard, that significantly reduces the deaths and injuries that occur in rollover crashes, it should make no difference whether that reduction is achieved by means that also reduce deaths and injuries in other types of crashes. The agency agrees that there is a possibility that some of the regulatory initiatives announced by the agency as part of its rollover program involve proposals that may never become final rules. However, this possibility exists with any regulatory initiative. The agency cannot foretell the nature of the public comments that it will receive or prejudge the outcome of its analyses of comments and other information obtained during the rulemaking process. NHTSA included those initiatives in its rollover program because preliminary evaluations of those initiatives indicate that they are promising avenues for addressing rollovers. The agency will pursue these initiatives expeditiously and conscientiously. For example, since the 1994 notice was published, NHTSA has published a final rule to extend the current requirements for side door latches to rear door latches. (60 FR 50124) This rule is an attempt to reduce the number of ejections from the rear door of vehicles, thus reducing injuries and fatalities. Based on data for years 1988–1992, NHTSA estimates that 147 occupants were fatally ejected from the rear door of vehicles. Forty two percent of those fatalities occurred in rollover accidents.

One of the specific initiatives singled out for criticism by petitioners was the upgrade of Standard 201 to reduce head impact injuries. The petitioners objected to its inclusion in NHTSA's comprehensive rollover plan because the proposed compliance impact speeds "are often less than those [speeds] responsible for the very high rate of severe head trauma that is suffered by occupants in rollover crashes." The final rule upgrading Standard No. 201 was published on August 16, 1995. (60 FR 43031) Even if the petitioners were correct, the essential fact remains that the final rule will make substantial reductions in rollover fatalities and injuries. The agency estimated that 244–334 fatalities and 189–273 serious injuries would be averted in rollovers as a result of that rule.

Authority: 49 U.S.C. 322, 30111, 30115, 30117 and 30166; delegation of authority at 49 CFR 1.50 and 501.8.

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National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 91–68; Notice 06]

RIN 2127–AC54

Consumer Information Regulations; Vehicle Rollover Stability Label

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

ACTION: Notice of proposed rulemaking; reopening of comment period.

SUMMARY: This notice reopens the comment period for a notice of proposed rulemaking published June 28, 1994, regarding a rollover stability label for light vehicles. The comment period for this proposed rulemaking action closed on October 21, 1994. Since that time, the National Academy of Sciences (NAS) has published a study of consumer needs for automotive safety information. NHTSA would like public comments on the NAS study and how that study should be reflected in NHTSA's rulemaking decisions on requirements for rollover stability labeling. Accordingly, the agency is reopening the comment period for an additional 60 days.

DATES: Comments must be received by August 5, 1996.

ADDRESSES: Comments should refer to Docket No. 91–68; Notice 5 and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. (Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.)

FOR FURTHER INFORMATION CONTACT: *For labeling issues:* Stephen R. Kratzke, Office of Safety Performance Standards, NPS–31, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Kratzke can be reached by telephone at (202) 366–5203 or by fax at (202) 366–4329.

For general rollover issues: Gayle Dalrymple, Office of Safety Performance Standards, NPS–20, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Dalrymple can be reached by telephone at (202) 366–5559 or by fax at (202) 366–4329.

For legal issues: Stephen P. Wood, Assistant Chief Counsel for Rulemaking, NCC–20, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Wood can be reached by telephone at (202) 366–2992 or by fax at (202) 366–3820.

SUPPLEMENTARY INFORMATION: NHTSA currently requires that sport utility vehicles with a wheelbase of 110 inches or less have a prominent label advising drivers that these vehicles are less stable than passenger cars and more likely to roll over during abrupt maneuvers. 49 CFR 575.105. On June 28, 1994 (59 FR 33254), NHTSA published a notice proposing to supplement the existing requirement for a rollover label with another label. This proposed additional rollover stability label would be required on all passenger cars, trucks, and multipurpose passenger vehicles with a Gross Vehicle Weight Rating of 10,000 pounds or less. The comment period for this proposal was scheduled to close on August 29, 1994. However, NHTSA extended the comment period so that it closed October 21, 1994; 59 FR 44121, August 26, 1994. NHTSA received 70 comments to its docket for the proposed additional labeling requirements.

During this comment period, Congress enacted the Department of Transportation and Related Agencies Appropriations Act, 1995 (P.L. 103–331; September 30, 1994). In that Act, Congress gave NHTSA funds "for a study to be conducted by the National Academy of Sciences (NAS) of motor vehicle safety consumer information needs and the most cost effective methods of communicating this information." The Act directed NAS to complete its study by March 31, 1996. The Act also included the following language: "In order to ensure that the results of the study are considered in the rulemaking process, the conferees agree that NHTSA shall not issue a final regulation concerning motor vehicle safety labeling requirements until after the NAS study is completed." As a result of this language, NHTSA deferred

action on its proposed expanded vehicle rollover stability labeling until the NAS study was done.

The NAS study was completed and released to the public on March 26, 1996. It is titled "Shopping for Safety—Providing Consumer Automotive Safety Information," TRB Special Report 248. Copies of this study are available in NHTSA Docket No. 91-68; Notice 4. NHTSA's Docket Section can be reached by telephone at (202)366-4949.

NHTSA is reviewing its proposal for rollover stability labeling in light of this NAS report. To aid the agency in this effort, NHTSA would like public comments on the NAS study and how that study should be reflected in NHTSA's rulemaking decisions on

requirements for rollover stability labeling. The agency would also like up-to-date comments on the issues raised in its 1994 proposal. In light of the NAS study, NHTSA is also considering improvements to the existing sport utility vehicle label to enhance the effectiveness of that label. NHTSA welcomes any views and suggestions commenters may have on this issue. NHTSA is also interested in comments on whether the agency should extend its existing label to cover vehicle groups in addition to sport utility vehicles. It would also be helpful to learn if important additional information has become available since the original comment period closed. To obtain

comments on these subjects, NHTSA is reopening the comment period for this rulemaking action for an additional 60 days.

In this reopened comment period, it is not necessary for commenters to resubmit views and information that have been expressed in previous comments. NHTSA will consider all of the comments it has already received.

Authority: 49 U.S.C. 30117; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.

Issued on May 31, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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