the revenue from a PFC submitted by the Johnstown-Cambria Airport Authority was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 24, 1997.

The following is a brief overview of the application.

Application number: 97–03–C–00–JST.

Level of proposed PFC: $3.00.

Proposed charge effective date: September 1, 1997.

Proposed charge expiration date: December 1, 1999.

Total estimated PFC revenue: $157,583.

Brief description of proposed projects: The PFC funds will be utilized to fund the local share of the following AIP projects.

—Terminal Building Renovation
—Perimeter Security Fencing

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators filing FAA Form 1800–31.

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: Budget Reconciliation Act of 1990) (Public Law 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On July 22, 1997, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Johnstown-Cambria Airport Authority was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 24, 1997.

The following is a brief overview of the application.

Application number: 97–03–C–00–JST.

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Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators filing FAA Form 1800–31.

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: Fitzgerald Federal Building, John F. Kennedy International Airport, Jamaica, New York, 11430.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Johnstown-Cambria Airport Authority.

Issued in Jamaica, New York on July 22, 1997.

Thomas Felix,

Manager, Grant In Aid Program, Eastern Region.

[FR Doc. 97–20287 Filed 7–31–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration (NHTSA) Denial of Motor Vehicle Defect Petition

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

ACTION: Denial of motor vehicle defect petition.

SUMMARY: This document denies a November 8, 1996 petition from the Center for Auto Safety requesting that the agency commence a proceeding to determine the existence of defects related to motor vehicle safety in the air bag systems in certain vehicles. After reviewing the petition and other information, NHTSA has concluded that further investigation of these vehicles is unlikely to result in a determination that such safety-related defects exist. The agency accordingly denies the petition.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Cooper, Chief, Vehicle Integrity Branch, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW, Washington, DC 20590. Telephone: (202) 366–5218.

SUPPLEMENTARY INFORMATION: On November 8, 1996, the Center for Auto Safety (CAS) submitted a petition requesting the agency to investigate certain motor vehicles for ''defective airbag crash sensor and/or deployment systems which result in airbag induced injuries in crashes below 12-mph.'' [1]

[1] Footnote 1 in the CAS petition states: ''All speeds referred to are change in velocity of the striking vehicle as opposed to its impact speed.''

The vehicles identified in the CAS letter are the 1991 through 1992 Chevrolet Corsica, the 1990 through 1992 Ford Taurus, and the 1994 through 1996 Chrysler minivan. CAS alleges that the subject vehicles are over-represented for air bag-caused crash deaths at low speeds when compared to other vehicles. CAS cites the number of deaths of adult drivers in the Corsica and Taurus vehicles and of child passengers in the Chrysler minivan vehicles.

In the same letter, CAS separately requested the agency to ''amend FMVSS 208 to set a 12 mph threshold below which an airbag cannot trigger unless the manufacturer establishes it will not injure an out-of-position occupant.'' This petition analysis evaluates only that portion of the petition requesting a defect investigation. The rulemaking requested by CAS was initially discussed in the Notice of Proposed Rulemaking dated January 6, 1997 (62 FR at 827).

Following receipt of the petition, NHTSA officials requested CAS to clarify the specific issue(s) it wished the agency to investigate. In response to this request, on December 12, 1996, CAS clarified its November 8, 1996 letter:

> CAS does not request NHTSA to investigate the design threshold trigger speed specified by the manufacturer for these vehicles but rather two other factors which combined have resulted in 19 of the 53 known deaths caused by bags—(1) the wide variability from the design threshold trigger speed which may result in injurious airbag deployments at barrier equivalent velocities (BEVs) as low as 7-mph when the design speed may be 12 to 14-mph BEV and (2) the aggressivity of the airbag itself because of its deployment velocity, trajectory or proximity to the occupant.

After reviewing the petition, as well as information furnished by Chrysler Corporation (Chrysler), Ford Motor Company (Ford), General Motors Corporation (GM), the Insurance Institute for Highway Safety (IIHS), and data in the agency's possession from ongoing rulemaking proceedings and other sources, NHTSA has concluded that further investigation of these vehicles is unlikely to result in a determination that the air bag systems in the vehicles identified in the petition contain safety-related defects as alleged by the petitioner, and that a further commitment of agency resources in this effort is not warranted. The agency accordingly denies the petition.

Alleged Problem And Safety-Related Consequences

The petitioner alleges that specific Chrysler, Ford and GM vehicles present an unreasonable risk to safety from a combination of low speed and aggressive air bag deployment. The petitioner bases this view on statistics concerning the number of fatalities caused by air bags in the subject vehicles compared with the number of such fatalities in other vehicle models.

Fatalities due to air bags are principally due to the air bag itself or the air bag module cover making aggressive contact with the vehicle occupant during the inflation phase of air bag deployment. Those individuals who are extremely close to the air bag module at the time of deployment are most likely to be adversely affected.

Vehicles Involved

The petition identifies the subject Chrysler vehicles as the Chrysler Town and Country, Dodge Caravan and Grand Caravan, and Plymouth Voyager and Grand Voyager minivans for model years (MY) 1994–96. Chrysler produced a total of 1,569,027 such vehicles.

The petition identifies the subject Ford vehicles as the Ford Taurus for MY 1990 through 1992. Ford produced a total of 931,900 such vehicles.[2]

The petition identifies the subject GM vehicles as the Chevrolet Corsica for MY 1991 and 1992. GM produced a total of 290,145 such vehicles.[2]

System Description

An air bag is a fabric bag that inflates extremely rapidly in the event of a frontal crash to protect an occupant from moving forward and striking solid parts of the interior of the vehicle and also to absorb and distribute crash forces. The air bag supplements the protection provided by the manual lap and shoulder belt. It also must protect unbelted individuals in crashes the equivalent of up to 30 mph into a fixed barrier. Each air bag system contains two or more sensors to detect the initiation of a crash and provide an electrical signal that a crash is occurring.[3] The sensors are designed to discriminate between crashes or impacts that warrant air bag inflation and those that do not warrant air bag inflation. At least two sensors (one safing sensor[4] and one crash sensor) must be activated to inflate the bag. The type, location, number, and calibration of sensors vary by vehicle model.

Each manufacturer provides a specification for the vehicle's air bag system that establishes both a ''low limit,'' below which the air bag must not deploy, and a ''threshold,'' above which the air bag must deploy. Both the low limit and the threshold are expressed in terms of change in velocity of the vehicle. Chrysler reports that for its 1994 through 1996 minivans, the air bags must not deploy at 8 mph or below and must deploy at 14 mph or above. Ford reports that the air bag in 1990 through 1992 Taurus vehicles must not deploy at 8 mph or below and must deploy at 14 mph or above. GM reports that the air bag in the 1991 and 1992 Corsica must not deploy at 7 mph or below and must deploy at 14 mph or above.[5]

All air bag systems include a diagnostic module which performs two functions. (1) It provides a back-up energy source in case the battery voltage is cut during a crash. The back-up voltage is available to trigger deployment of the air bag if the sensors detect a crash requiring air bag inflation. (2) It also performs a diagnostic check of the electrical system components and connections both when the ignition is first turned on and periodically during vehicle use.

The air bag inflator module contains the air bag, the inflator, and the initiator. The inflator module is located on the steering wheel for the driver and in the instrument panel for the passenger (many vehicles have only a driver side air bag).[6] When the sensors detect a crash that meets the pre-established criteria for deployment of the air bag, an electrical current flows through the initiator and ignites the material in the inflator. Or, in the case of all-mechanical sensors, a firing pin activates a detonator that ignites the inflator material. The gas generated by the inflator rapidly inflates the air bag.

In order to provide continuous electrical connection to the air bag in the steering wheel, each driver air bag connects to a coil assembly or clock spring. This device allows rotation of the air bag module in the steering wheel while maintaining continuous electrical contact with the sensors, the diagnostic module, and the vehicle's electric power supply.

Modifications

The manufacturers' responses to information request letters from NHTSA's Office of Defects Investigation (ODI) provided the following information on vehicle modifications related to the air bag systems in the subject vehicles.

Chrysler

Chrysler reports that 1994 was the first year for passenger air bags in its minivans. In developing its passenger air bags, Chrysler made modifications to its pre-1994 driver air bag system.

> * * * Chrysler introduced single point electronic crash sensing internal to the airbag [electronic] control module (AECM) rather than the distributed system of prior years. No other changes were made relating to deployment or aggressivity through the end of the vehicles' production, [i.e., through the end of MY 1995].

The 1996 minivan is a totally new vehicle; with new crash sensing algorithms in the AECM. In addition, the 1996 Chrysler minivan passenger air bag is mid-mounted on the instrument panel compared with the 1994 and 1995 passenger air bags, which are top-mounted. Neither the 1996 AECM nor the 1996 passenger air bag is interchangeable with those from the earlier model years.

Ford

The 1990 Taurus is the first model year Taurus with an air bag. Ford's response to NHTSA's information request (IR) states,

> Ford Taurus vehicles were equipped with five sensors in model year 1990, four in model year 1991, and three in model year 1992.

> Ford adds,

> Although there were a number of minor changes made to 1990–1992 model year Taurus vehicles and the driver side air bags installed in those vehicles, there were no modifications or changes in the design or manufacture of the vehicles or air bag system components made to address either air bag system ''deployment variability or air bag aggressivity,'' as no need has been identified for such changes or modifications.

Ford states that it reduced the number of sensors from five to three to reduce

[2] The petition did not identify the ''corporate siblings'' of the designated Ford and GM vehicles; i.e., the Mercury Sable and the Chevrolet Beretta. If those ''corporate siblings'' are included, the vehicle populations would be 1,232,000 and 412,000, respectively.

[3] There are also a small number of all-mechanical crash sensor systems which use the mechanical energy of a firing pin (rather than an electrical switch) to signal that a crash is occurring. The subject vehicles contain systems using electromechanical sensors which provide an electrical signal.

[4] The safing sensor is a redundant sensor to add reliability to prevent the system from deploying an air bag in response to a faulty signal from the crash sensor.

[5] In 1970, as part of a comprehensive rulemaking on automatic restraints, NHTSA proposed to require that air bags not deploy when the vehicle impacts a fixed barrier at any velocity less than 15 miles per hour, at any angle. 35 FR 16937, at 16938 (November 3, 1970). However, after considering opposing comments from vehicle manufacturers, the agency did not adopt this requirement because it determined that it was preferable to allow manufacturers freedom in the design of their protective systems at all speeds. 36 FR 4600, at 4602 (March 10, 1971).

[6] The subject Chrysler minivans have driver and front passenger air bags. The subject GM vehicles have an air bag on the driver side only. The subject Ford vehicles have standard driver side only with optional passenger side available in MY 1992.

system complexity and cost. According to Ford, these reductions ''were made possible by ongoing improvements in technology of air bag crash sensor design.'' [7]

GM

The 1991 Corsica is the first model year Corsica with an air bag. In its response to the agency's IR, GM states,

The vehicle design or the subject components were not changed or modified on the 1991–92 Corsica vehicles to address either air bag deployment variability or air bag aggressivity.

Crash Reports

As of May 15, 1997, NHTSA is aware of the following reports of low speed motor vehicle crashes in the subject vehicles in which fatalities and injuries have been attributed to deployment of the air bags. These reports have been obtained from agency field crash investigations and from data provided to the agency by the respective vehicle manufacturers. For the MY 1994–96 Chrysler minivan vehicles, the agency has reports of 11 such crashes, resulting in 9 deaths and 2 injuries to occupants in the front passenger seat. For the MY 1990–92 Ford Taurus, the agency has reports of 24 such crashes, causing 5 deaths and 19 injuries to drivers. For the MY 1991–92 GM Corsica, the agency has reports of 11 such crashes, resulting in 4 deaths and 7 injuries to drivers. The agency is aware of no fatal crash reports for the MY 1990–92 Sable or MY 1991–92 Beretta.[8]

NHTSA prepared a Special Crash Investigation (SCI) report for each of the air bag-related fatal crashes. In most, the report provides a calculation of the change of velocity in the longitudinal direction of the vehicle. For the subject Ford Taurus, there are 5 fatal crashes in which the change of velocity ranges from a low of 7.7 mph to a high of 12.5 mph, with an average of 10.4 mph. For the GM Corsica, there are 4 fatal crashes in which the change of velocity ranges from a low of 7 mph to a high of 16 mph, with an average of 11.2 mph. For the Chrysler minivans, there are 9 fatal crashes in which the change of velocity ranges from a low of 8 mph to a high of 17.5 mph, with an average of 13.3 mph.

For the non-subject vehicles, there are 33 fatal crashes for which the change in velocity is reported. The change of velocity ranges from a low of 7 mph to a high of 20 mph, with an average of 12.6 mph. The SCI reports indicate that the average change in velocity for the crashes leading to air bag-related fatalities in the subject vehicles is not significantly different from the change in velocity in crashes in which there were air bag-related fatalities in non-subject vehicles.

Testing

Manufacturers have performed considerable testing in the process of developing and improving air bag systems. NHTSA has also performed tests in research programs, in its compliance programs, and as part of the New Car Assessment Program (NCAP). This data has provided additional technical understanding of both the potential benefits of air bags and the potential risks associated with their deployment.

FMVSS 208—NHTSA

All new passenger cars and light trucks must comply with Federal Motor Vehicle Safety Standard (FMVSS) 208, ''Occupant Crash Protection.'' This standard specifies minimum occupant protection performance levels for the restraint systems in those vehicles. Starting with MY 1987, manufacturers were required to phase in automatic occupant restraints to meet specified injury criteria. Beginning with MY 1990, all vehicles were required to meet the automatic restraint injury criteria and manufacturers began to make significant numbers of vehicles with driver air bags. Then in 1991, the Intermodal Surface Transportation Efficiency Act directed the agency to amend FMVSS 208 to require air bags as the form of automatic crash protection in light vehicles. The agency accordingly amended the standard in 1993 to require air bags for both front seat positions in all automobiles by MY 1998, and in all light trucks by MY 1999. Subsequently, manufacturers continued on an accelerated program to install both driver and passenger air bags.

On March 19, 1997 the agency temporarily amended FMVSS 208 to allow manufacturers to quickly depower air bags so that they inflate less aggressively. The agency took this action in response to the growing number of air bag-related fatalities and injuries to young children and adults. Prior to March 19, 1997 in a FMVSS 208 test, the test vehicle carried instrumented unbelted test dummies and the vehicle impacted a fixed flat barrier at 30 mph. Data recorded from the test dummies provided information to determine if the vehicle complied with the Standard. All of the subject vehicles were produced prior to the March 1997, FMVSS 208 amendment.

Table 1 presents a summary of the results of the relevant FMVSS 208 compliance testing performed on the subject vehicles by NHTSA. The air bag principally acts on the surfaces of the upper body to protect it from harm. The injury criteria, ''Head Injury Criterion (''HIC''), and ''Chest G,'' predict the level of human injury to the upper body that could occur in a crash. The maximum allowable HIC and Chest G is shown at the bottom of Table 1. All of the subject vehicles met the dummy injury criteria requirements when tested by NHTSA. The FMVSS also contains injury criteria for the lower body (femur), but because the air bag does not impact this region of the body, the femur data results are not shown.

TABLE 1.—FMVSS COMPLIANCE TEST RESULTS

Model	HIC [9]	Chest G [10]
1990 Taurus (driver)	249	53
1991 Beretta [11] (driver)	172	52
1994 Caravan (pass.)	148	51
1996 Caravan (pass.)	129	39
FMVSS Requirement	1000	60

[9] HIC is a measure of the potential for injury to the brain.

[10] Chest G is a measure of the potential for injury to the chest.

[11] NHTSA did not conduct FMVSS 208 compliance tests on either the 1991 or 1992 Corsica.

NCAP—NHTSA

NHTSA conducts the New Car Assessment Program (NCAP) to provide information on the crash performance of vehicles at speeds greater than the test speed specified in FMVSS 208. The program is different from the FMVSS testing in two principal areas: (1) the vehicle crash speed into the barrier is higher (35 mph), and (2) the test dummies are restrained with manual safety belts in addition to the passive restraint system provided in the vehicle. The NCAP results for the subject vehicles are shown in Table 2.

TABLE 2.—NCAP TEST RESULTS

Model	HIC	Chest G
1990 Taurus (driver)	735	46
1991 Corsica (driver)	493	41
1991 Taurus (driver)	480	44
1994 Caravan (pass.)	422	45

[7] In a letter dated March 24, 1997, CAS asserted that Ford failed to fully respond to NHTSA's IR letter. CAS requested NHTSA to ask Ford for air bag system modifications to its Taurus vehicles subsequent to the subject MY 1990–92 Taurus. NHTSA responded to CAS indicating that such information was not needed for the purpose of evaluating this petition.

[8] The Chevrolet Corsica and Chevrolet Beretta share the same vehicle platform and restraint system (with the Beretta having only two doors). Likewise, the Ford Taurus and Mercury Sable share the same vehicle platform and restraint system.

TABLE 2.—NCAP TEST RESULTS—Continued

Model	HIC	Chest G
1996 Caravan (pass.) ...	403	46

Leading Edge Deployment Speed—IIHS

In a March 21, 1997 letter to ODI, Ford provided a copy of a report issued by IIHS in January 1995 titled ''Leading Edge Deployment Speed of Production Air Bags.'' The purpose of this report was ''To assess the relative potential of different air bag designs to cause skin abrasions * * *.'' The report describes a series of tests and presents data showing the speed at which the front or leading surface of the air bag emerges from the air bag cover during the inflation process. The data also reports the maximum excursion values—the distance that the bag reaches beyond the plane of the steering wheel during its inflation process. The report provides data on driver side air bags in 15 MY 1993 passenger cars, including the Ford Taurus.[12]

Although there are many variables that could affect the likelihood of air bag injuries, contact with a deploying air bag may be more likely in those systems with greater air bag excursion distances during inflation. In the same manner, the impact force of air bag contact during inflation with the occupant might be greater in those systems presenting a higher leading edge speed.

The data show that the leading edge speed of the 1993 Ford Taurus fell within the range of leading edge speeds measured for all of the tested vehicles. For all vehicles, the measured leading edge speed ranged from a low of 170 km/h to a high of 328 km/h. For the Ford Taurus, the speeds were recorded as 266 and 291 km/h (two tests).

The maximum excursion of the Ford Taurus air bag also was within the range of all of the models tested. The Ford Taurus air bag excursion values were 370 and 378 mm (two tests). The values for all models tested ranged from 297 to 487 mm.

Neither the Corsica nor the Chrysler minivans were included in this IIHS study.

Rulemaking Research—NHTSA

In preparation for possible regulatory action to amend FMVSS 208, the agency conducted tests to determine the effectiveness of depowering air bags on adult drivers and child passengers who are in close proximity to the air bag at the time of deployment. These tests are described in NHTSA's February 1997 report, ''Actions to Reduce the Adverse Effects of Air Bags, FMVSS No. 208, Depowering'' by the Office of Regulatory Analysis, Plans and Policy (p. III –1 to III–29). The tests included driver and passenger static air bag deployments in sled bucks representing vehicles of MY 1994 and 1996 vintage. The testing focused on the effects of air bag inflation on out-of-position (OOP) occupants. International Standards Organization (ISO) procedures were used as a guideline for determining the positioning of the OOP test dummy. This testing program gathered baseline data representing production air bag systems from different manufacturers and also gathered data on depowered inflators for comparison to the baseline results.

OOP Testing—Ford

Although ODI did not specifically request data on OOP occupant testing, Ford provided such data comparing the performance of the air bag system on the 1992 Taurus with that of seven other passenger vehicles. This testing was conducted by Ford for potential use in litigation. The results show the Taurus performance as within the range of results for the other vehicles. Neither GM nor Chrysler conducted OOP testing of the subject vehicles.

Crash Data

NASS

NHTSA's National Automotive Sampling System (NASS) has records of a sampling of crashes and an analysis that includes a computation of the change in velocity (based on measurements of vehicle crash damage) of the vehicle during the crash impact. A review of this data shows that the air bags in many vehicles, in addition to the subject vehicles, deploy in low speed crashes. The NASS file for calendar years 1989 through 1996 (a partial file for 1996 is now available) contains reports on 412 vehicles in which the air bag deployed in a crash at a computed longitudinal change in velocity of less than 10 mph. More than 50% (221) of the 412 crashed vehicles involve a 7-mph change in velocity or less and these include over 70 different non-subject model vehicles.

IIHS

In a letter dated December 20, 1996, IIHS submitted an analysis of all crashes in which a driver or passenger death has been attributed to the air bag. IIHS provided a series of tables ''listing airbag inflation fatalities and the exposure of the vehicles in which these fatalities occurred.'' The IIHS data is based on NHTSA data (SCI). The IIHS analysis compares the subject vehicles identified in the CAS petition with other vehicle models for which deaths have been attributed to air bags. The air bag-related fatality rate for each model is expressed as the number of deaths, as of September 30, 1996, divided by the number of million registered vehicle years. This provides an exposure-adjusted basis for comparing the air bag-related fatality rates of one model to another.

In its analysis, IIHS constructed vehicle groups from the subject vehicles and from other vehicles in which there has been an air bag fatality. The IIHS placed the MY 1991–92 Corsica into a group consisting of the MY 1991–93 Corsica and Beretta; placed the MY 1990–92 Taurus into a group consisting of the MY 1990–93 Taurus and Sable; and split the MY 1994–96 Chrysler minivans into two groups, the MY 1994–95 minivans, and the MY 1996 minivans. Non-subject vehicles were placed into appropriate groups as well. IIHS's rationale for placement of vehicles into particular groups is presented in its December letter and elaborated on in its April 8, 1997 letter to ODI. In the December letter, IIHS states, ''Additional model years without known changes in the airbag sensor or deployment system are included in the exposure counts to provide a complete picture of the relative exposure. Also included are corporate ''sibling'' models with the same airbag systems during the same model years (for example, Taurus and Sable) for a true reflection of the exposure of each airbag system.'' The April letter provides more a specific description of the reasons for the choice of groups for the subject Taurus, Corsica and Chrysler minivans vehicles. ODI has reviewed the IIHS methodology and finds it to be a reasonable approach for evaluating the relative performance of the subject vehicles compared to other air bag-equipped vehicles.

The air bag fatality rates for various vehicles as stated below are derived from a small number of fatalities spanning as much as 6 years. To expand on this further, consider that in just calendar year 1995 alone,[13] NHTSA's Fatal Analysis Reporting System (FARS) files indicate a total of 41,798 traffic crash fatalities from all causes. Of these, NHTSA is aware of 12 air bag-related fatalities. The total traffic fatality rate in 1995 for all causes is 212.6 fatalities per million registered vehicles. The specific

[12] Ford reports, ''the bags installed in 1993 Taurus vehicles are the same configuration as those installed in 1990–92 Taurus vehicles.''

[13] The agency's latest full year of fatal crash data is calendar year 1995.

air bag-related fatality rates for the subject vehicles compared with various other vehicles is discussed below.

Adjusting for exposure, the subject vehicles do not have the highest driver air bag-related fatality rates, even though they have more individual fatalities than other vehicles. For example, the MY 1990–93 Taurus shows a lower driver air bag fatality rate per million registered vehicle years (0.80) than the MY 1990–91 Cadillac El Dorado (4.57), MY 1990–92 Pontiac Firebird (2.20), MY 1993–94 Toyota Tercel (1.82), MY 1989–93 Dodge Daytona (1.16), MY 1994 Ford F150 (0.95) and the MY 1990–96 Mazda Miata (1.28). Similarly, the rate of the MY 1991–93 Corsica (2.18), while higher than that of the Taurus, is lower than that of the El Dorado and Firebird. Thus, the data indicate that the rates for many vehicles, while subject to the uncertainties due to the extremely limited amount of data, are as high or higher than those of the subject vehicles. Furthermore, adding corporate siblings to the rate calculation for each of the above subject vehicles brings down the rate for each of them, since there have been no air bag-related fatalities in either of those siblings.

The IIHS analysis of child passenger deaths (excluding rear-facing infant seats because the injury mechanism is different) reveals that models other than the Chrysler minivans present the highest air bag-related fatality rates per million registered vehicle years. The highest is the MY 1995–96 Hyundai Sonata (29.01) followed by the MY 1995–96 Isuzu Trooper (22.94), the MY 1995–96 Hyundai Accent (13.32), the MY 1995–96 Toyota Avalon (8.86), the MY 1993–94 Lexus LS400 (7.41), the MY 1995 Geo Metro (6.90), and the MY 1995–96 Mazda Protege (6.76). The highest rate for one of the subject Chrysler minivans is 6.67 deaths per million registered vehicle years for the MY 1996 Dodge Caravan and the rate is 3.48 for the MY 1996 subject minivans as a whole. The rate for the MY 1994–95 Dodge Caravan is 3.88 and for the MY 1994–95 Plymouth Voyager is 2.52, while the overall rate for the MY 1994–95 Chrysler minivans is 3.06. Again, as with the driver air bag-related fatalities, the data indicate that the rates for many vehicles, while subject to the uncertainties due to the extremely limited amount of data, are as high or higher than those of the subject vehicles.

Using the known deaths and the registered vehicle years for each model, and the grouping of models, model years and siblings as listed in the IIHS letter, NHTSA applied a statistical test to ascertain whether any of the subject vehicles is over-represented compared with all other vehicles (compared as a single group) having at least one air bag-related fatality. The data do not demonstrate that any subject vehicle is over-represented.

IIHS also provided crash data concerning the likelihood of the air bags in the subject vehicle deploying in crashes, compared with the air bags in other vehicles. Based on insurance crash data, the rates of air bag deployments per 100 collision claims in frontal crashes are essentially the same for the subject vehicles as for several other identified models. In its December 20, 1996 letter, the IIHS reports, ‘‘The deployment rates per 100 collision claims for 1990–93 Ford Taurus/ Mercury Sable models are no different from those for the 1992–96 Toyota Camrys or 1994–96 Honda Accords.’’ The rate per 100 collision claims for the MY 1990–93 Taurus/Sable is 12, for the MY 1991–93 Corsica /Beretta is 10, for the MY 1992–96 Camry is 12, and for the MY 1994–96 Accord is 12. The same holds true for the Chrysler minivans. The rate per 100 collision claims for the individual models of the MY 1994–95 Chrysler minivans ranges from 6 to 9 and for MY 1996 Chrysler minivans ranges from 8 to 11. By comparison the rate for the MY 1995–96 Ford Windstar is 22 (The IIHS did not provide data for any other non-Chrysler minivan).

Findings

1. When adjusted for exposure, the air bag-related fatality rates for the subject vehicles are not statistically different from the air bag-related fatality rates for non-subject vehicles.

2. NHTSA's SCI reports indicate that the average change in velocity for the crashes leading to air bag-related fatalities in the subject vehicles is not significantly different from the change in velocity in crashes in which there were air bag-related fatalities in non-subject vehicles.

3. NHTSA's SCI reports indicate that in the air bag-related fatal crashes involving the subject vehicles, the average change in velocity is within the design range specified by each manufacturer.

4. The NASS data indicates that the air bags in many non-subject vehicles have deployed in crashes having a 7 mph or less change in velocity. Those crashes involved over 70 non-subject model vehicles.

5. IIHS data show that the subject vehicles have rates of air bag deployments per 100 collision claims that are similar to that of many other vehicles.

Based on the information available at the present time, there is no reasonable possibility that an order concerning the notification and remedy of a safety-related defect in the 1990 through 1992 Ford Taurus, the 1991 and 1992 Chevrolet Corsica, or the 1994 through 1996 Chrysler minivan vehicles would be issued at the conclusion of an investigation. Therefore, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.

Authority: 49 U.S.C. 30162 (d); delegations of authority at CFR 1.50 and 501.8.

Issued on: July 28, 1997.

Kenneth N. Weinstein,

Associate Administrator for Safety Assurance.

[FR Doc. 97–20295 Filed 7–31–97; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Notice 97–6]

Safety Advisory: Certified IM 101 and IM 102 Steel Portable Tanks With Bottom Outlets Without Internal Discharge Valves or Shear Sections

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Safety advisory notice; correction.

SUMMARY: RSPA published a safety advisory notice in the **Federal Register** (62 FR 37638) under notice 97–6 on July 14, 1997. The words ‘‘capable of being closed from a location’’ were inadvertently omitted in the advisory notice for material quoted from 49 CFR 173.32c(g)(2). This document corrects this error and, for the convenience of readers, reprints the text of the July 14, 1997 notice in its entirety, as follows:

This is to notify owners and users of DOT specification IM 101 and IM 102 portable tanks with filling or discharge connections below the normal liquid level that these tanks may be used for shipping hazardous materials only if they have internal discharge valves and shear sections. Internal discharge valves and shear sections are safety devices required on the bottom-outlets of IM portable tanks in hazardous material service to prevent significant release of lading when damage is sustained at the filling/discharge connection. Without those safety features, damage to a bottom outlet is far more likely to result in loss of a tank's entire lading.