

Total Annual Burden: 206,566 burden hours

Estimated Costs Per Respondents: \$0.

Needs and Uses: Section 64.703(c) establishes a 30-day outer limit for updating the posted consumer information when an aggregator has changed the presubscribed operator service provider. This modified information collection requirement was a response to widespread failure of aggregators to disclose information necessary for informed consumer choice in the marketplace.

List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

Rule Changes

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for part 64 continues to read:

Authority: 47 U.S.C. 10, 201, 218, 226, 332, unless otherwise noted.

2. Section 64.703 is amended by revising paragraph (c) to read as follows:

§ 64.703 Consumer information.

* * * * *

(c) *Updating of postings.* The posting required by this section shall be updated as soon as practicable following any change of the carrier presubscribed to provide interstate service at an aggregator location, but no later than 30 days following such change. This requirement may be satisfied by applying to a payphone a temporary sticker displaying the required posting information, provided that any such temporary sticker shall be replaced with permanent signage during the next regularly scheduled maintenance visit.

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[FR Doc. 99-22402 Filed 8-27-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 571 and 575

[Docket No. NHTSA-98-3381, Notice 3]

RIN 2127-AH68

Consumer Information Regulations; Utility Vehicle Label

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

ACTION: Final Rule; Response to Petition for Reconsideration.

SUMMARY: On March 9, 1999, we published a final rule modifying the rollover warning currently required for small- and mid-sized utility vehicles. In response to a petition for reconsideration of that final rule, this document amends the utility vehicle and air bag warning label requirements to allow manufacturers to combine the rollover and air bag alert labels in one label, permits manufacturers to comply with either of two options for installing both labels on the same side of the sun visor until September 1, 2000, and allows manufacturers to voluntarily install on the same side of the sunvisor as the air bag label, rollover warning labels in vehicles for which they are not required, such as pickup trucks and large utility vehicles. Today's final rule will provide manufacturers with additional flexibility to determine the location of air bag and rollover warning labels in sport utility vehicles.

DATES: This final rule is effective September 1, 1999, however, voluntary compliance with the final rule is allowed as of August 30, 1999. Petitions for reconsideration must be received by October 14, 1999.

ADDRESSES: Petitions for reconsideration should refer to the docket and notice number of this final rule 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 labeling issues: Mary Versailles, Office of Planning and Consumer Programs, NPS-31, telephone (202) 366-2057, facsimile (202) 366-4329.

For legal issues: Nicole Fradette, Office of Chief Counsel, NCC-20, telephone (202) 366-2992, facsimile (202) 366-3820.

SUPPLEMENTARY INFORMATION:

I. Background

On March 9, 1999, we published a final rule amending the rollover warning label and owner's manual requirements for small- and mid-sized utility vehicles.¹ (64 FR 11724) The agency explained that the new label and owner's manual requirements will more effectively alert drivers to the risk the vehicles will roll over, the steps they can take to avoid that risk, and the steps they can take to reduce the chance of injury in the event of a rollover. The new label replaced the former text-only format with a format using bright colors, graphics, and short bulleted text messages. The rule requires the label's header to have an alert symbol (a triangle containing an exclamation point) followed by the statement "WARNING: Higher Rollover Risk" in black text on a yellow background. The following three statements must appear below the header in the center of the label: "Avoid Abrupt Maneuvers and Excessive Speed," "Always Buckle Up," and "See Owner's Manual For Further Information." The rule specifies that the label must contain two pictograms: one showing a tilting utility vehicle on the left of the label, and the other showing a seated vehicle occupant with a secured three-point belt system on the right. The pictograms and the statement must be in black on a white background. The rule requires the label to be placed on either the driver's sun visor or the driver's side window. If the label is placed on the back of the driver's sun visor, the rule requires an alert label to be placed on the front of the visor urging the person to flip the visor over and read the information on the other side. The new label is required on utility vehicles with a wheelbase of 110 inches or less. The rule also requires additional information on rollover be included in the owner's manuals of these vehicles. The new requirements are effective September 1, 1999.

On April 26, 1999, we published a notice clarifying that manufacturers of utility vehicles with a wheelbase of 110 inches or less may comply with the upgraded requirements in advance of the September 1, 1999, mandatory compliance date. (64 FR 20209) We explained that any manufacturer choosing to comply with the new rule before September 1, 1999, must comply with the new rule in its entirety (i.e., they must comply with the new owners'

¹ "Utility vehicles" are defined in 49 CFR Part 575 as multipurpose passenger vehicles (other than those which are passenger car derivatives) with a wheelbase of 110 inches or less and with special features for off-road operation. 49 CFR Part 575.105. These vehicles are commonly referred to as sport utility vehicles in the media.

manual information requirements as well as with the new, improved labeling requirements).

II. Alliance of Automobile Manufacturers' Petition for Reconsideration

On April 23, 1999, the Alliance of Automobile Manufacturers (AAM) submitted a petition for reconsideration of the March 9 final rule. The petition raised issues regarding (1) the requirement that the air bag warning label be to the left of the rollover warning label; (2) the requirement that the air bag warning label and rollover warning label not be contiguous; (3) the air bag and rollover alert label requirements; and (4) the air bag label requirement's prohibition of "other information" as it pertains to a rollover warning label installed in a vehicle that is not required to have the label. The AAM also wrote to the agency on April 8, 1999, requesting clarification as to whether foreign language translations of the rollover warning label were allowed and whether voluntary compliance with the new requirements was permitted. As noted above, on April 28, 1999, we published a notice clarifying that early compliance with the new rule was permitted. A discussion of the remaining issues raised by AAM and our response to them follows.

III. Agency's Response to Petition for Reconsideration

A. Restriction on Label's Location

To keep the pictograms of the air bag and rollover warning labels from running together visually, the final rule specified that the air bag warning label must be to the left of the utility vehicle rollover warning label when both labels are placed on the same side of the sun visor. We reasoned that since the pictogram on the air bag warning label in Figure 6a (after which the majority of air bag warning labels are modeled) of the air bag warning requirements is on the label's left side, placing that label to the left of the rollover warning label would put the air bag pictogram far from the pictograms on the rollover warning label. We believed that such a placement would prevent the pictograms of the two labels from blending together visually.

In its petition, AAM asked that we delete the requirement that the air bag warning label be to the left of the rollover warning label. AAM stated that, unlike the rollover warning label which specifies the content, form, and sequence of the label, the air bag warning label requirements specify only the content of the label—not the

location of the pictogram. The form and sequence of the air bag label and the placement of the pictogram is left to the discretion of the manufacturer.

Consequently, the air bag pictogram could be to the right on some air bag warning labels and the pictograms of the two labels could, in some situations, be adjacent. Since the purpose of this requirement is to keep the pictograms from running together visually, such a placement, while permitted, would thwart the requirement's purpose.

We are, therefore, replacing the requirement that the air bag warning label be placed to the left of the rollover warning label with a requirement that there be text between the air bag pictogram and the rollover pictogram whenever both labels are affixed to the same side of the sun visor. We believe that this change will prevent the pictograms from visually blending. This provision will also provide manufacturers with additional label placement options.

B. Contiguous Label Prohibition

To maintain the separateness of the two labels and their messages, the agency specified that the air bag and rollover warning labels could not be contiguous. In its petition for reconsideration, AAM asked the agency to delete this requirement and replace it with a requirement that the labels be visually separate. AAM argued that specifying that the labels may not be connected "without specifying a minimum separation distance means that labels 1 mm apart" would comply with the requirement. AAM stated that it believed the agency's intent was to visually separate the two messages, but suggested that other methods could be effectively used to maintain the separateness of the two labels. For example, AAM suggested using one label with clear, transparent material between the two messages to give the appearance of separate labels when placed on the sun visor. AAM also suggested placing a border around each message to separate the two messages from one another. AAM argued that the requirement should be revised to specify that the messages of the two labels be "visually separated" when placed on the same side of the sun visor.

We do not believe that the requirement suggested by AAM is readily enforceable. Manufacturers are required to certify that their products conform to NHTSA's regulations before they can be offered for sale. Manufacturers must know how NHTSA plans to determine compliance with a particular regulation if they are to ensure that their vehicles comply. The

requirement that the labels be "visually separated" is too subjective. Consequently, manufacturers would have difficulty determining whether their labels were "visually separate" within the meaning of the standard.

By specifying that the two labels not be contiguous, we intended to require a clear demarcation between the two messages to ensure that the two warnings did not run together visually and confuse the reader.² We did not specify the amount of space between the two labels because we did not want to be unnecessarily design restrictive. However, based on AAM's petition and several other manufacturer inquiries, it is apparent that manufacturers believe that this provision requires them to separately affix each label to the vehicle and prohibits them from using one material to affix the labels to the sunvisor.

We still believe it important to maintain the separateness of the two labels and their messages. AAM suggested that placing a border around each label would be one way of ensuring that the labels remained visibly distinct. We note, however, that unless we specify the distance between the borders, labels placed 1 millimeter apart could comply with the requirement. Therefore, simply placing a border around each label without specifying a distance between the borders would not address AAM's earlier concern that manufacturers could place the labels one millimeter apart and still comply with the noncontiguous requirement.

In response to the concerns raised by AAM in its petition, we have decided to replace the requirement that the labels not be contiguous with a requirement that the labels must be situated so that the shortest distance from any of the lettering or graphics on the rollover warning label to any of the lettering or graphics on the air bag warning label is not less than three centimeters or, in the case of rollover warning and air bag warning labels that are each completely surrounded by a continuous solid-lined border, the shortest distance from the border of the rollover warning label to the border of the air bag warning label must be not less than one centimeter when both labels are affixed to the same side of the sun visor. We believe that this provision, unlike the provision suggested by AAM, is objective, readily

² As discussed in the March 9, 1999 final rule, when multiple hazard warnings are placed in the same location, ANSI Z535.4 (1991) recommends that individual messages have sufficient space around them to prevent them from visually blending together.

enforceable, and will ensure that the warning labels remain visually distinct.

We are also amending the March 9 final rule to explicitly allow manufacturers to meet the rollover labeling requirements by permanently marking or molding the required information to the vehicle. This provision will ensure that manufacturers may, if they so choose, use one material or process to affix the two labels to the vehicle. This means that a manufacturer could, at its option, silkscreen, emboss, or in some other way permanently mark the rollover warning to the vehicle. We believe that these changes will alleviate any confusion as to what is required and will give manufacturers the flexibility to determine the best way to affix the required warnings to their vehicles.

C. Compliance options for placing labels on the same side of the sun visor

In the March 9 final rule we established a September 1, 1999, effective date for the new labeling and owner's manual requirements. With respect to the labeling requirement, we noted that all of the commenters agreed that a leadtime of 180 days was sufficient to design, produce and install a new label. On April 26, 1999, we published a notice clarifying that manufacturers could voluntarily comply with the new requirements in advance of the September 1, 1999 mandatory compliance date. We understand that some manufacturers intend to do so.

We are concerned that requiring manufacturers to comply with the new requirements by September 1, 1999, would not give manufacturers who wish to install both labels on the same side of the sun visor sufficient lead time to design, produce, and install new labels that comply with the new requirements. We also believe, however, that those who can comply with the requirements of today's rule should be allowed to do so. Therefore, manufacturers who install both labels on the same side of the sunvisor may, until September 1, 2000, choose between two compliance options. The first option would require the air bag label to be to the left of the rollover warning label and the labels to be noncontiguous. The second option would require there to be text separating the pictograms of the two labels and that either the labels must be located such that the shortest distance from any of the lettering or graphics on the rollover warning label to any of the lettering or graphics on the air bag warning label is at least three centimeters, or where the

rollover warning and air bag warning labels are each completely surrounded by a continuous solid-lined border, the shortest distance from the border of the rollover warning label to the border of the air bag warning label must be at least one centimeter. As of September 1, 2000, manufacturers would have to comply with the requirements of the second option. We believe that this provision will give manufacturers sufficient lead time to comply with the new requirements for placing labels on the same side of the sun visor.

A manufacturer must select one of the compliance options at the time it certifies the vehicle and may not thereafter select the other option for the vehicle. Failure to comply with the selected option would constitute a noncompliance with the standard regardless of whether the vehicle complies with the other option.

D. Air Bag and Rollover Alert Label Requirements

The final rule requires that an alert label be placed on the front of the sun visor if the rollover label is not visible when the sun visor is in the stowed position. The air bag warning label has a similar requirement. Currently, these two alert labels may not be combined. AAM requested that we amend the rollover and air bag alert label requirements to allow the two labels to be combined when both the air bag and rollover warning labels are not visible when the visor is in the stowed position. AAM argued that it was redundant and unnecessary to require two separate alert labels with two "flip visor over" text messages on the driver's sun visor.

We agree that only one alert label is needed to alert the driver to turn the visor over for an important safety message. Therefore, we are amending the alert label requirements to allow the warnings to be combined in one label. The combined alert label must contain the following statements in yellow text on a black background: "Air Bag and Rollover Warnings", "Flip Visor Over". In addition, the label must include a black pictogram on a white background of an air bag deploying into a rearfacing infant seat. The pictogram must be encircled by a red circle with a slash through it. We believe the combined alert label will effectively alert drivers to the importance of turning the visor over to read the label and will give manufacturers the option of affixing one alert label instead of two.

E. Voluntary placement of rollover warning labels

In the March 9, 1999 final rule, we amended the text of the air bag warning label requirement (49 CFR 571.208, S4.5.1(b)(3)) to allow both the air bag label and the rollover label to be placed on the same side of the sun visor. In its petition, AAM noted that the change made to the provision's regulatory text prohibits the voluntary installation of the rollover warning label on the same side of the sun visor as the air bag warning label in vehicles such as large SUVs or pickup trucks.

The text of S4.5.1(b)(3) prohibits manufacturers from affixing to the same side of the sun visor as the air bag label anything other than the air bag maintenance label and the rollover label required on utility vehicles with a wheelbase of 110 inches or less. Specifically, S4.5.1(b)(3) states:

Except for the information on an air bag maintenance label placed on the visor pursuant to S4.5.1(a) of this standard, or on a utility vehicle label placed on the visor pursuant to 49 CFR 575.105(d)(1), no other information shall appear on the same side of the sun visor to which the sun visor air bag warning label is affixed. Except for the information in an air bag alert label placed on the visor pursuant to S4.5.1(c) of this standard, no other information about air bags or the need to wear seat belts shall appear anywhere on the sun visor.

Under S4.5.1(b)(3), as currently drafted, a rollover warning label installed on the same side of the sun visor as the air bag warning label on a large-sized utility vehicle or a pickup truck would be prohibited as "other information" since it would not be installed pursuant to 49 CFR 575.105(d)(1), which applies only to utility vehicles with a wheelbase of 110 inches or less.

Although we decided not to extend the rollover warning labeling requirement to other vehicles in the March 9 final rule, we have no objection to manufacturers voluntarily installing rollover warning labels in pickups, vans, or other vehicles. Rollovers occur in vehicles other than small and mid-sized utility vehicles, albeit at a lower rate.

NHTSA analyzed the statistics for percent rollovers per single vehicle crashes for vehicles with a wheelbase of ≤ 110 inches compared to vehicles with a wheelbase of >110 inches to determine the rollover rate for different vehicle types. The results are included in Table 1.

TABLE 1.—PERCENT ROLLOVER PER SINGLE VEHICLE CRASHES
[% RO/SVC]

| | All | ≤110" wheelbase | >110" wheelbase |
|-----------------------|------|--------------------|--------------------|
| Car | 17.4 | 20.1 | 11.0 |
| Utility Vehicle | 48.9 | 57.5 | 9.5 |
| Van | 22.2 | 8.3 | 30.4 |
| Pickup | 37.5 | 41.4 | 25.6 |

We believe that manufacturers should be allowed to alert their drivers to the risk that the vehicles will roll over, the steps they can take to avoid that risk, and the steps they can take to reduce the chance of injury in the event of a rollover. While manufacturers may voluntarily install a rollover warning in vehicles other than utility vehicles with a wheelbase of 110 inches or less, S4.5.1(b)(3) prohibits them from installing them on the same side of the sunvisor as the air bag warning label. We believe that manufacturers should be able to voluntarily affix the rollover warning label in the exact same places the required label can be affixed. We are, therefore, amending the March 9 final rule to allow the voluntary installation of the rollover warning label on the same side of the sun visor as the air bag warning label in vehicles that are not required by 49 CFR 575.105 to have them.

F. Foreign Language Translations

In an April 8, 1999 letter, AAM asked that we allow foreign language translations of the new rollover warning label. AAM stated that this would be consistent with prior agency interpretations concerning the use of foreign languages on required labels.

We have long held that manufacturers may present information in addition to the required information as long as the information is presented in a way that does not obscure or confuse the meaning of the required information. The labeling requirement of the March 9 final rule requires manufacturers to supply the rollover warning information in English. However, once manufacturers meet this requirement, they may supply the same information in other languages, so long as it does not confuse consumers. Manufacturers may apply an additional rollover warning label in a foreign language and may include a foreign language translation of the required owner's manual information, in addition to the required English text.

We note that S4.5.1 of Standard No. 208 prohibits "other information" from being placed on the sunvisor with the air bag label. We want to make it clear

that as long as the non-English language label is an exact translation of the required information, we do not interpret it to be "other information". Information that is not a translation of the required information is considered "other information" and is not permitted.

G. Voluntary early compliance

The effective date of today's rule is September 1, 1999. Manufacturers may, however, comply early with the requirements included in today's rule. If a manufacturer chooses to do so, it must comply with all of the requirements.

IV. Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735, October 4, 1993), provides for making determinations whether a regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and to the requirements of the Executive Order. The Order defines a "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

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. Further, this action has been determined to be not

"significant" under the Department of Transportation's regulatory policies and procedures.

NHTSA believes that this rule will result in a minimal cost to manufacturers and consumers of utility vehicles with a wheel base of less than 110 inches since this rule only involves minor changes.

Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996) whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant economic impact on a substantial number of small entities. SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities.

NHTSA has 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 believes this rule will have minimal economic impact.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995, a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. The OMB Clearance number for the utility vehicle warning (49 CFR 575.105) is 2127-0049. NHTSA has considered the impact of the changes required by today's rule and determined that they will not have any effect on the

total burden hours imposed on the public by 49 CFR 575.105.

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.

Executive Order 13045

Executive Order 13045 (62 FR 19885, April 23, 1997) applies to any rule that: (1) is determined to be "economically significant" as defined under E.O. 12866, and (2) concerns an environmental, health or safety risk that NHTSA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, we must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by us.

This rule is not subject to the Executive Order because it is not economically significant as defined in E.O. 12866, and does not have a disproportionate effect on children.

National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272)

directs us to use voluntary consensus standards in its regulatory activities unless doing so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies, such as the Society of Automotive Engineers (SAE). The NTTAA directs us to provide Congress, through OMB, explanations when we decide not to use available and applicable voluntary consensus standards.

We reviewed all relevant American National Standards Institute (ANSI) standards as part of developing the labeling and information requirements that are the subject of this document. We used the following voluntary consensus standard in developing the labeling and information requirements:

- American National Standard Institute (ANSI) standard for product safety signs and labels (ANSI Z535.4).

List of Subjects

49 CFR Part 571

Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

49 CFR Part 575

Consumer protection, Labeling, Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

In consideration of the foregoing, NHTSA amends chapter V of Title 49 of the Code of Federal Regulations 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.

2. In § 571.208, in S4.5.1, revise paragraph (b)(3) to read as follows:

§ 571.208 Standard No. 208; Occupant crash protection.

* * * * *

S4.5.1 * * *

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(b) *Sun visor air bag warning label.*

(3) Except for the information on an air bag maintenance label placed on the visor pursuant to S4.5.1(a) of this standard, or on a utility vehicle warning label placed on the visor that conforms in content, form, and sequence to the label shown in Figure 1 of 49 CFR 575.105, no other information shall

appear on the same side of the sun visor to which the sun visor air bag warning label is affixed. Except for the information in an air bag alert label placed on the visor pursuant to S4.5.1(c) of this standard, or on a utility vehicle warning label placed on the visor that conforms in content, form, and sequence to the label shown in Figure 1 of 49 CFR 575.105, no other information about air bags or the need to wear seat belts shall appear anywhere on the sun visor.

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PART 575—CONSUMER INFORMATION REGULATIONS

3. The authority citation for Part 575 continues to read as follows:

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

4. In Section 575.105 revise paragraph (d)(1)(ii) and add paragraphs (d)(1)(iii) and (iv), (d)(5) and (6) and Figure 2 to § 575.105 to read as follows:

§ 575.105 Vehicle rollover.

* * * * *

(d) *Required information.*

(1) *Rollover Warning Label.*

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(ii) Vehicles manufactured on or after September 1, 1999 and before September 1, 2000. When the rollover warning label required by paragraph (d)(1)(i) of this section and the air bag warning label required by paragraph S4.5.1(b) of 49 CFR 571.208 are affixed to the same side of the driver side sun visor, either:

(A) the rollover warning label must be affixed to the right (as viewed from the driver's seat) of the air bag warning label and the labels may not be contiguous; or

(B) the pictogram of the air bag warning label must be separated from the pictograms of the rollover warning label by text, and

(1) the labels must be located such that the shortest distance from any of the lettering or graphics on the rollover warning label to any of the lettering or graphics on the air bag warning label is not less than 3 cm, or

(2) if the rollover warning and air bag warning labels are each completely surrounded by a continuous solid-lined border, the shortest distance from the border of the rollover warning label to the border of the air bag warning label is not less than 1 cm.

(iii) The manufacturer must select the option to which a vehicle is certified by the time the manufacturer certifies the vehicle and may not thereafter select a different option for that vehicle. If a manufacturer chooses to certify

compliance with more than one compliance option, the vehicle must satisfy the requirements applicable to each of the options selected.

(iv) Vehicles manufactured on or after September 1, 2000. When the rollover warning label required by paragraph (d)(1)(i) of this section and the air bag warning label required by paragraph S4.5.1(b) of 49 CFR 571.208 are affixed to the same side of the driver side sun visor the pictogram of the air bag warning label must be separated from the pictograms of the rollover warning label by text and:

(A) the labels must be located such that the shortest distance from any of the lettering or graphics on the rollover warning label to any of the lettering or graphics on the air bag warning label is not less than 3 cm, or

(B) If the rollover warning and air bag warning labels are each completely

surrounded by a continuous solid-lined border, the shortest distance from the border of the rollover warning label to the border of the air bag warning label must be not less than 1 cm.

* * * * *

(5) *Combined Rollover and Air Bag Alert Warning.* If the warnings required by paragraph (d)(1) of this section and paragraph S4.5.1(b) of 49 CFR 571.208 to be affixed to the driver side sun visor are not visible when the sun visor is in the stowed position, a combined rollover and air bag alert label may be permanently affixed to that visor in lieu of the alert labels required by paragraph (d)(3) of this section and paragraph S4.5.1(c)(2) of 49 CFR 571.208. The combined rollover and air bag alert label must be visible when the visor is in the stowed position. The combined rollover and air bag alert warning must conform

in content to the label shown in Figure 2 of this section, and must comply with the following requirements:

(i) The label must read:

AIR BAG AND ROLLOVER WARNINGS
Flip Visor Over

(ii) The message area must be black with yellow text. The message area must be no less than 20 square cm.

(iii) The pictogram shall be black with a red circle and slash on a white background. The pictogram must be not less than 20 mm in diameter.

(6) At the option of the manufacturer, the requirements in paragraph (d)(1)(i) for labels that are permanently affixed to specified parts of the vehicle may instead be met by permanent marking and molding of the required information.

BILLING CODE 4910-59-P

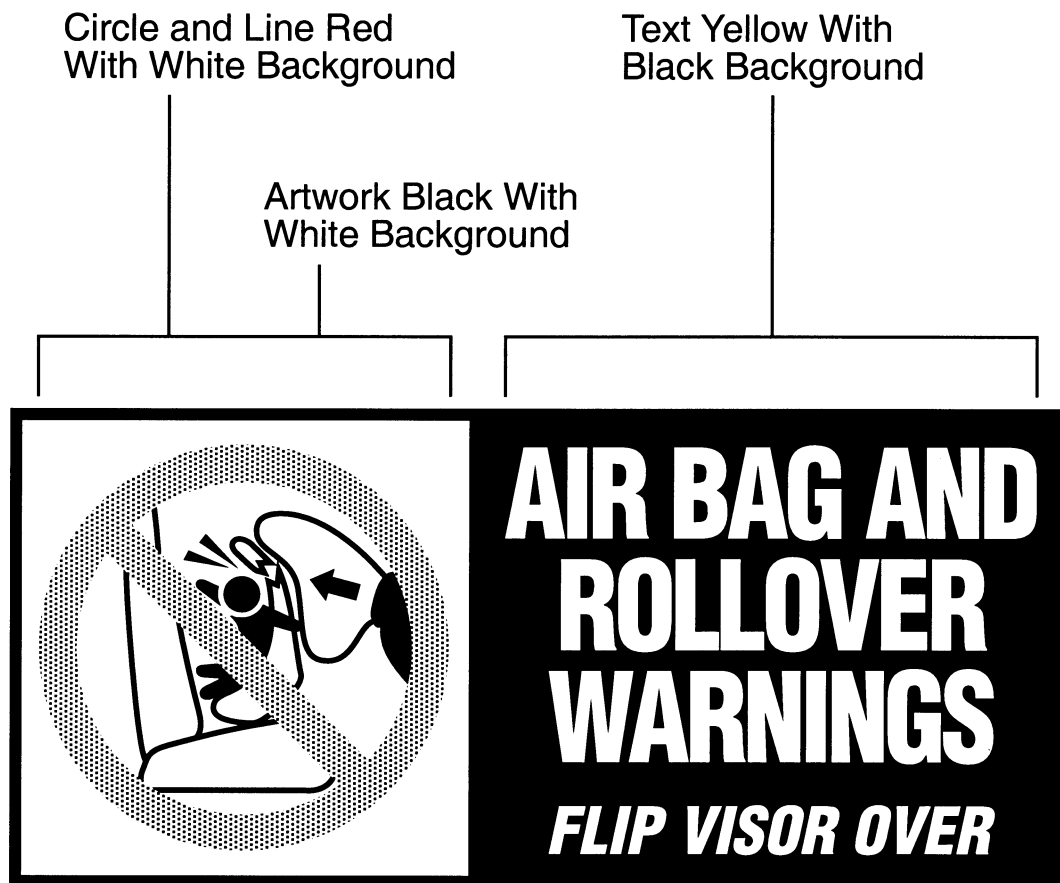


Figure 2. Sun Visor Label Visible When Visor is in Up Position.

Issued on: August 24, 1999.

Frank Seales, Jr.

Acting Deputy Administrator.

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