

standard to electronic accelerator controls, including even the basic terms "throttle" and "idle position." General Motors' comment dismissed the proposal as unimportant and instead presented useful ideas about fail-safe provisions it considered applicable to electronic accelerator controls. It stated that with electronic engine controls, throttle position is no longer the singular factor that controls engine speed. It is possible to exploit control of spark advance and/or fuel metering as alternative means of preventing uncontrolled engine speed. Therefore, General Motors suggested that the present requirement of two sources of energy to return the throttle to the idle position be replaced by a more general requirement of two means capable of returning the engine to idle in the event of the disconnection or severance of the other. It also suggested a second provision that if two means of returning the engine to idle cannot be provided, then a fail-safe feature would either shut-down the engine or automatically shift the transmission into neutral in the event of a disconnection or severance of the accelerator control.

General Motors' suggestions invite questions about their applicability to diesel engines and about the desirability of shifting the transmission into neutral, but they represent constructive thought about the preservation of fail-safe performance in the face of changing technology for accelerator control.

Agency Withdrawal of NPRM

After carefully reviewing the public comments, NHTSA has decided to withdraw its proposal to remove S5.3 from Standard No. 124. The public commenters addressing the issue have highlighted the fact that there are many unresolved areas involving electronic accelerator controls. NHTSA is withdrawing the proposal so that it can fully review the issue of making the standard more relevant to electronic systems prior to considering any other amendments to the Standard.

Technical Workshop

As stated in its December 4, 1995 request for comments (60 FR 62061), NHTSA plans to hold a technical workshop on the need to amend Standard No. 124. NHTSA tentatively plans to hold the workshop on March 24, 1997, at the U.S. Department of Transportation Building (400 Seventh Street, SW.) in Washington, DC. NHTSA believes its long range plans for Standard No. 124 will be facilitated if workshop participants and submitters of written comments discuss the questions

raised in the December 1995 request for comments.

The agency wishes workshop participants to discuss:

(1) The principles of operation of existing and potential electronic accelerator control systems for gasoline and diesel engines;

(2) The principles of operation of existing and potential means of providing fail-safe performance in the event of loss of accelerator control by the primary system; and

(3) Suggestions for regulatory requirements that will assure the fail-safe performance of electronic accelerator control systems.

The agency therefore asks those persons interested in participating to make their interest known by contacting Mr. Boyd, and describing the topic(s) the person wishes to address. Although NHTSA expects to hold the technical workshop in March 1997, it would appreciate being informed if any interested persons need more time to prepare remarks. If many people state that more time is necessary, NHTSA will pick a later date. The two persons mentioned at the beginning of this termination notice are available to answer questions.

NHTSA will issue another notice announcing the room number of the workshop and agenda items to be discussed. If necessary, the date for the workshop and submission of written comments will be adjusted.

Accordingly, as discussed in the preamble, the notice of proposed rulemaking published in the Federal Register on April 30, 1996 (61 FR 19020) is withdrawn.

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

Issued on: March 4, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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49 CFR Part 572

[Docket No. 96-65; Notice 3]

RIN 2127-AG58

Federal Motor Vehicle Safety Standards

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

ACTION: Denial of request for extension of comment due date.

FOR FURTHER INFORMATION CONTACT: Z. Taylor Vinson, Office of Chief Counsel,

NHTSA, Room 5219, 400 7th Street SW, Washington, D.C. 20590 (telephone 202-418-8142).

SUPPLEMENTARY INFORMATION: This document denies a petition for extension of time to comment on proposed Federal Motor Vehicle Safety Standard No. 100 *Low-speed vehicles*.

On January 8, 1997, the National Highway Traffic Safety Administration published a notice of proposed rulemaking that would apply a new Federal motor vehicle safety standard to motor vehicles whose maximum speed does not exceed 25 mph (Docket No. 96-65; Notice 2, 62 FR 1077). February 24, 1997, was established as the due date for comments on the proposal.

Advocates for Highway and Auto Safety petitioned the agency to extend the comment period for an additional 30 days. The reason for the request is the temporary closure of the docket room, Room 5109 of the Nassif Building, from February 10 to March 10, 1997. Advocates argued that dockets will be unavailable for public inspection during this period and that comments filed in response to the proposal will likewise be unavailable for inspection for two weeks before the closing date of February 24, 1997.

Although Room 5109 is closed for the period indicated, comments filed in response to Notice 2 and other pending notices are available for inspection in Room 6130 of the Nassif Building during ordinary business hours of 9:30 a.m. to 4:00 p.m. as before. Thus, the temporary closure of Room 5109 will not affect the ability of the public to inspect comments being submitted to dockets during the period February 10 to March 10, 1997. Visitors to the Nassif Building have been advised of the temporary change of the NHTSA docket room from Room 5109 to Room 6130 by signs posted on or before February 10 in the Department's Central Docket Room and in each of the four street-level entrances to the Nassif Building.

Advocates also avers that the proposal to allow a new class of Low Speed Vehicles to operate on the public roads without full conformity to current Federal motor vehicle safety standards has serious implications and itself warrants an extension of the comment period for an additional 30 days.

NHTSA denies the petition by Advocates for additional time in which to comment on Notice 2. The public has had full access to comments filed in response to Notice 2 of Docket No. 96-65 during the comment period (in fact, only two comments had been filed by February 19, 1997). Before issuing the notice of proposed rulemaking, NHTSA

conducted two public meetings and received comments from interested persons, including Advocates, on safety and other issues involving the regulation of low speed vehicles. These issues were thoroughly discussed in the preamble to the proposed rule. NHTSA deems it unlikely that providing an additional 30 days in which to comment would result in it receiving comments that differ materially from those submitted on or before the stated due date for comments, especially since no other person has requested an extension of time.

This denial does not affect NHTSA's long-standing policy of accepting comments filed after the due date, and considering them to the extent practicable before issuance of further rulemaking notices.

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

Issued on: March 4, 1997.

L. Robert Shelton,
*Associate Administrator for Safety
Performance Standards.*

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