

40 CFR citation	OMB Control No.
35.6655	2030-0038
35.6660	2030-0038
35.6665(a), (b)	2030-0038
35.6700	2030-0038
35.6705	2030-0038
35.6710	2030-0038
35.6805	2030-0038
35.6815(a), (c), (d)	2030-0038
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[FR Doc. 99-13030 Filed 5-21-99; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety
Administration****49 CFR Part 575**

[Docket No. 99-5697]

RIN 2127-AG67

**Consumer Information Regulations;
Uniform Tire Quality Grading
Standards**

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

ACTION: Final rule.

SUMMARY: This final rule amends the agency's consumer information regulations and the Uniform Tire Quality Grading Standards (UTQGS) by rescinding the requirement that passenger car manufacturers provide general UTQGS information to purchasers and potential purchasers at the point of sale of new vehicles, requiring instead that such information be included in owners' manuals. In addition, this rule removes the requirement that manufacturers supply copies of UTQGS information to the agency, and removes a number of obsolete definitions. Finally, this rule amends the existing exclusion of tires with nominal rim diameters of 10-12 inches from the UTQGS to now exclude tires with nominal rim diameters of 12 inches or less.

This action is being taken because the agency believes that elimination of the point-of-sale requirement will relieve a significant burden on vehicle manufacturers and dealers, yet will have little effect on consumers. The agency believes that UTQGS information is of little value to consumers at the point of sale of new vehicles because new vehicles are typically sold with tires selected by the manufacturer based on vehicle model, weight, and options.

Further, consumers have shown little interest in UTQGS when shopping for or purchasing new vehicles. The agency believes that consumers will be better served by requiring such information to be included in owners' manuals for the future reference of those consumers when shopping for replacement tires.

DATES: *Effective date:* The amendments in this final rule are effective September 1, 1999. *Compliance date:* Optional early compliance is permitted beginning on the date of publication of this final rule in the **Federal Register**.

Petitions for reconsideration of this final rule must be received by NHTSA not later than July 8, 1999.

ADDRESSES: Petitions for reconsideration should be submitted to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20950.

FOR FURTHER INFORMATION CONTACT:

For technical issues: Mr. P. L. Moore, Safety Standards Engineer, Office of Planning and Consumer Programs, Office of Safety Performance Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590; telephone (202) 366-5222.

For legal issues: Mr. Walter K. Myers, Attorney-Advisor, Office of the Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, telephone (202) 366-2992.

SUPPLEMENTARY INFORMATION:**A. Background**

Section 30123(e) of Title 49, U.S. Code, requires the Secretary of Transportation to prescribe a uniform quality grading system for motor vehicle tires to help consumers make an informed choice when purchasing tires. NHTSA implemented this statutory mandate by issuing the UTQGS at 49 CFR 575.104, applicable to new passenger car tires. The UTQGS require passenger car and tire manufacturers and tire brand name owners to provide consumers with tire grading information with respect to the tires' relative performance in treadwear, traction, and temperature resistance characteristics. Excluded from the UTQGS are deep-tread, winter-type snow tires, space-saver or temporary-use spare tires, tires with nominal rim diameters of 10 to 12 inches, and limited production tires as described in 49 CFR 575.104(c)(2).

Section 575.6(a) of Title 49, CFR, requires that at the time a motor vehicle is delivered to the first purchaser for purposes other than resale, the vehicle manufacturer must provide, in writing

and in the English language, the information specified in §§ 575.103 and 575.104 that is applicable to that vehicle and its tires. The information required for tires is specified in § 575.104(d)(1)(iii), which requires vehicle manufacturers to list all possible grades for traction and temperature resistance and restate verbatim the explanation of each of the 3 performance areas. The information must also contain a statement referring the reader to the tire sidewall for the specific grades of the tires with which the vehicle is equipped. Section 575.6(c) requires each vehicle manufacturer, brand name owner of tires, and manufacturer of tires for which there is no brand name owner to provide the information specified in subpart B of Part 575 to prospective purchasers at each location at which its vehicles or tires are offered for sale.

B. Notice of Proposed Rulemaking.

The agency received a petition for rulemaking from the Association of International Automobile Manufacturers (AIAM) to rescind the UTQGS requirements on motor vehicle manufacturers. In response to that petition, the agency published a Notice of Proposed Rulemaking (NPRM) on May 21, 1998. The NPRM proposed:

(1) To amend § 575.6(a)(1) by requiring vehicle manufacturers to include the UTQGS information prescribed in § 575.104, Figure 2, Part II, in each vehicle's owner's manual rather than requiring them to provide UTQGS information to purchasers and prospective purchasers at the point of sale of new vehicles. This action would delete the requirement that manufacturers provide UTQGS information at the point of sale, but would instead make that information available to vehicle purchasers in their owners' manuals;

(2) To amend § 575.104(c)(1) to exclude tires with nominal rim diameters of 12 inches or less, rather than tires with nominal rim diameters of 10-12 inches. This change would eliminate any ambiguity about grading tires smaller than 10 inches;

(3) To delete the definition of "brake power unit," "lightly loaded vehicle weight," "maximum loaded vehicle weight," and "maximum sustained vehicle speed" from § 575.2(c) because they are no longer pertinent to part 575; and

(4) To revise Example 2 in § 575.6(a)(1) to reflect the changes made in that section.

In addition to the above proposals, NHTSA requested comments on a series of 7 questions soliciting comments on

such issues as the extent to which consumers and potential consumers consider the UTQGS information provided by vehicle manufacturers at the point of sale of new vehicles, what quantities and what costs are incurred in providing UTQGS information at the point of sale, how much lead time would be required to include UTQGS information in owners' manuals, and what costs or other problems would be incurred by requiring that manufacturers provide the UTQGS ratings for the specific tires mounted on each vehicle.

C. Comments on the NPRM.

NHTSA received comments from Mercedes-Benz of North America, Inc. (Mercedes), Volkswagen of North America, Inc. (VW), AIAM, and the American Automobile Manufacturers Association (AAMA) in response to the NPRM. The comments are summarized as follows:

(1) *Delete Requirement for UTQGS Information at Point of Sale of New Vehicles.* The commenters unanimously supported the proposal to delete the requirement that motor vehicle manufacturers provide UTQGS information to purchasers and prospective purchasers at the point of sale of new vehicles. All agreed that purchasers and prospective purchasers rarely ask for UTQGS information at that point. They argued that, in any case, UTQGS information is of no value at that point because tires are not an item of choice for vehicle purchasers. They asserted, therefore, that such information is irrelevant for purchasers and prospective purchasers of vehicles, but should be provided at the place where replacement tires are being considered.

(2) *Require UTQGS Information in Owner's Manuals.* Only Mercedes expressed support for the proposal to include the UTQGS information in owner's manuals, saying that such information "located in the owners' manual would assist owners who would like to purchase replacement tires at any of a number of aftermarket establishments."

The others uniformly opposed including UTQGS information in owners' manuals. VW stated that it has been voluntarily including UTQGS information in its owners' manuals. However, VW and AIAM agreed that that is not essential because the UTQGS information will be available anyway when consumers consider the purchase of replacement tires. AAMA stated that its members voluntarily provide UTQGS information in owners' manuals but, given the lack of consumer interest in

this information at the time of new vehicle purchase, AAMA does not believe that providing UTQGS information in owners' manuals is justified. AAMA argued that UTQGS information may be a factor in the purchase of replacement tires, therefore such information should be provided where replacement tires are offered for sale. AAMA noted that UTQGS information changes periodically, such as when the AA traction rating was established by the final rule of September 9, 1996 (61 FR 47437). Therefore, maintaining UTQGS information at retail tire outlets would provide up-to-date information to consumers rather than leaving them to rely on possibly obsolete information that was current at the time their owners' manuals were printed.

(3) *UTQGS Information for Individual Vehicles.* As stated above, NHTSA posed a series of questions in the NPRM, the 7th of which read:

What would be the costs and/or other problems for passenger car manufacturers to provide, in leaflet form or in the owner's manual, the UTQGS ratings for the specific tires provided on each individual vehicle?

All commenters opposed this suggestion, although to varying degrees. Mercedes stated that because the type of tires with which a vehicle is originally equipped will likely change during the life of the vehicle, information on the original tires would be irrelevant. In addition, owners may erroneously assume that the original tire type is the only type of tire appropriate for the vehicle. VW asserted that tires installed at the assembly plant can be different, depending on the driveline configuration, options, and tire availability. VW, AIAM and AAMA argued that such a requirement would be extremely burdensome and impose unnecessary costs without providing any benefit to consumers considering purchase of a new vehicle.

(4) *Providing UTQGS Information to NHTSA.* VW, AIAM, and AAMA opposed the proposal to retain the requirement that vehicle and tire manufacturers provide UTQGS information to NHTSA not less than 30 days prior to availability of the product to consumers. VW, AIAM, and AAMA argued that such information would merely be a verbatim restatement of the information in Figure 2, Part II of § 575.104 and therefore a needless burden on manufacturers. AAMA further stated that this requirement is becoming increasingly difficult to administer because of the staggering of new model introductions which

necessitates multiple submission of the same information.

(5) *Location of UTQGS Ratings.* AIAM opposed the agency's proposal to require that the UTQGS information in the owner's manual include a statement that the grades for the tires on the vehicle can be found on the tires' sidewalls. AIAM argued that that is not helpful to consumers since UTQGS information is meant to be helpful only in tire purchases.

(6) *Effective Date.* Mercedes urged the agency to specify an effective date of September 1, 1999 for the proposed amendments to permit modification of the owner's manual to correspond with a new model year.

(7) *Deletion of Obsolete Definitions.* Finally, AIAM and AAMA supported the proposed deletion of the definitions of *brake power unit*, *lightly loaded vehicle weight*, *maximum loaded vehicle weight*, and *maximum sustained vehicle speed* as being obsolete and unneeded.

D. Agency Analysis and Decision

(1) *Delete Requirement for UTQGS Information at Point of Sale of New Vehicles.* NHTSA has decided to rescind the requirement that vehicle manufacturers provide UTQGS information to purchasers and prospective purchasers of motor vehicles. The agency is persuaded by the rationale in the AIAM petition and the comments of the others that purchasers and prospective purchasers of motor vehicles are not concerned with the UTQGS when shopping for or purchasing a new vehicle. AAMA and AIAM stated that consumers rarely ask for UTQGS information and do not indicate that this is a factor in their purchase decisions. Further, VW and AIAM pointed out that tires are not an option when purchasing a new vehicle because different vehicles may be equipped with different types of tires, depending on the vehicle model, options selected by the purchaser, and the availability of tires at the assembly plant. It is clear, therefore, that this requirement provides little, if any, benefit to consumers, while constituting an administrative burden on vehicle manufacturers. Accordingly, the rescission of this requirement will relieve that administrative burden on vehicle manufacturers.

(2) *Require UTQGS Information in Owners' Manuals.* NHTSA has decided to require the general UTQGS information set forth in Figure 2, Part II, of § 575.104 to be included in vehicle owners' manuals.

Although AIAM stated that many manufacturers already include UTQGS

information in their owners' manuals, VW, AIAM, and AAMA opposed the NHTSA proposal to require UTQGS information to be placed in owners' manuals rather than requiring that information to be provided to purchasers and prospective vehicle purchasers at the point of vehicle sales (see C(2) above). They argued that UTQGS information is not essential and should only be provided for consumers when shopping for replacement tires.

NHTSA continues to believe that UTQGS information should be included in owners' manuals because the owner's manual stays with the vehicle, even though owners of that vehicle may change from time to time. As the commenters noted, consumers rarely seek UTQGS information when shopping for new vehicles. However, when it is time to replace the original tires on a vehicle, the UTQGS information will be readily available in the owner's manual along with all other information pertaining to that vehicle. The owner's manual serves as a primary reference source for all aspects of the vehicle, including the tires. Therefore, it is logical to assume that when replacement tires are needed, the then owner of the vehicle will refer to the owner's manual for information and recommendations from the manufacturer as to what type, size, and construction of tire would be suitable for that particular vehicle. The UTQGS information in the owner's manual will educate the consumer in advance and inform that person as to what grades, among other factors, to look for before arriving at the tire store. It is also quite possible that if the UTQGS information were not available to the consumer in the owner's manual, that information might never be made available to that consumer.

AAMA argued that allowing consumers to get up-to-date UTQGS information at the tire store is preferable to getting what might be obsolete information from the owner's manual. AAMA cited the changes to the UTQGS in September 9, 1996 which, among other things, created the AA traction rating. NHTSA acknowledges that there is some validity to that point. However, although the grades of the various tire lines may change, the general information with respect to the UTQGS does not, and that is what the agency is requiring in the owner's manual. The general information in the owner's manual acquaints the consumer with the grading system so that when that person arrives at the tire store, he or she will know that tires are quality graded and can then concentrate on

ascertaining the grades of the various tires.

(3) *UTQGS Information for Individual Vehicles.* NHTSA has decided not to require manufacturers to provide the UTQGS ratings on the tires of individual vehicles. The commenters stated that such a requirement would be impractical and would present a costly and time-consuming burden on manufacturers with no benefit to consumers. The agency is persuaded by the comments that the tires mounted on vehicles depend on the size, weight, and options on the vehicle as well as the availability of tires at the assembly plant, and that there would therefore be no cost-efficient way to provide this information with each individual vehicle.

(4) *Providing UTQGS Information to NHTSA.* NHTSA has decided not to maintain the requirement that vehicle manufacturers provide UTQGS information to NHTSA not less than 30 days prior to availability of the product to consumers. The commenters are correct that such submissions merely reiterates the UTQGS general information contained in Figure 2, Part II of § 575.104. Not requiring this information will alleviate another administrative burden on manufacturers that would have no benefit to consumers, at the same time relieving the agency of receiving and processing information that is not needed for management of the UTQGS program.

(5) *Location of UTQGS Ratings.* NHTSA has decided to require that the general UTQGS information included in the owners' manuals include a statement that the grades for the tires on the vehicle can be found on the tires' sidewalls. NHTSA believes that since new vehicles come with tires selected by the vehicle manufacturer and not by the vehicle purchaser, that purchaser should know how and where to find the grades of the tires on the vehicle. Since the agency is not requiring the vehicle manufacturer to provide the purchaser with the grading information of the tires on each vehicle (see D(3) above), NHTSA believes that it is important that the consumer be advised as to where to find the grades of the tires on the new vehicle.

(6) *Effective Date.* As requested by Mercedes, NHTSA has decided to make the amendments in this final rule effective on September 1, 1999 to permit the revisions of owners' manuals to coincide with the change of model years. Early optional compliance is permitted.

(7) *Deletion of Obsolete Definitions.* NHTSA has decided to delete the definitions of *brake power unit*, *lightly*

loaded vehicle weight, *maximum loaded vehicle weight*, and *maximum sustained speed*. AIAM and AAMA supported this proposal and since these definitions were applicable to previously rescinded sections of part 575, they are no longer needed for any of the provisions of part 575.

(8) *Other Amendments to Part 575.* NHTSA is also revising Example 2 in § 575.6(a)(1) to be more representative of the type of tables that might appear in owners' manuals pursuant to § 575.103. It is also amending § 575.104(c)(1) to exclude from the provisions of § 575.104 tires with nominal rim diameters of 12 inches or less. NHTSA proposed these amendments in the NPRM, but none of the commenters addressed these issues. NHTSA continues to believe that with the amendment to § 575.6(a)(1), revision of Example 2 is necessary in order to be consistent with that paragraph as amended. Further, NHTSA is changing the exclusion from § 575.104 of tires with nominal rim diameters between 10 and 12 inches to tires with nominal rim diameters of 12 inches or less in order to avoid any confusion as to the exclusion of tires below 10 inches.

E. Rulemaking Analyses and Notices

(1) *Executive Order 12866 and DOT Regulatory Policies and Procedures.* This document was not reviewed under Executive Order 12866, *Regulatory Planning and Review*. NHTSA has analyzed the impact of this rulemaking action and has determined that it is not "significant" under the DOT's regulatory policies and procedures. This final rule relieves motor vehicle manufacturers of the requirement to provide UTQGS information to purchasers and prospective purchasers of new motor vehicles at the points of sale of those vehicles, but requires the manufacturers of vehicles equipped with passenger car tires to include that UTQGS information in the owner's manual of each individual such vehicle. NHTSA believes that the cost of adding UTQGS information to owners' manuals, which vehicle manufacturers are already required to provide, will be minimal and in any case, less than the cost of preparing and providing separate UTQGS information at new vehicle dealerships. AIAM pointed out in its petition, confirmed by other commenters, that some vehicle manufacturers already include UTQGS information in their owners' manuals. NHTSA believes, therefore, that implementation of this rulemaking action will result in an undetermined net overall cost savings to vehicle manufacturers. The agency believes, however, that any net cost savings will

be minimal, therefore not warranting preparation of a full regulatory evaluation.

(2) *Regulatory Flexibility Act.* NHTSA has considered the effects of this rulemaking action under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*). I hereby certify that this final rule will not have a significant impact on a substantial number of small entities.

The following is the agency's statement providing the factual basis for the certification (5 U.S.C. 605(b)). The amendments herein will primarily affect manufacturers of passenger cars and multipurpose passenger vehicles (MPV) that are equipped with passenger car tires. The Small Business Administration (SBA) regulation at 13 CFR part 121 defines a small business in part as a business entity "which operates primarily within the United States" (13 CFR 121.105(a)).

SBA's size standards are organized according to Standard Industrial Classification (SIC) codes. SIC code No. 3711, "Motor Vehicles and Passenger Car Bodies," has a small business size standard of 1,000 employees or fewer. SIC code No. 3714, "Motor Vehicle Parts and Accessories," has a small business size standard of 750 or fewer employees.

For manufacturers of passenger cars and MPVs, NHTSA estimates that there are at most 5 small manufacturers of passenger cars in the U.S. Each such manufacturer serves a niche market, often specializing in replicas or "classic" cars. Production for each such manufacturer is fewer than 100 cars per year. Thus, there are at most 500 such cars manufactured per year by U.S. small businesses.

By contrast, NHTSA estimates that there are 9 large manufacturers of passenger cars and light trucks and vans (LTV) in the U.S. Total U.S. manufacturing production per year is approximately 15 to 15.5 million passenger cars and LTVs. Thus, NHTSA does not believe that small businesses manufacture even 0.1 percent of the total U.S. passenger car and LTV production per year.

In view of the above discussion under E(1), NHTSA believes that small businesses, small organizations, and small governmental units will be affected by the proposed amendments only to the extent that there may be a very slight, minimal decrease in the cost of new passenger cars. Thus, the agency has not prepared a preliminary regulatory flexibility analysis.

(3) *Executive Order 12612, Federalism.* NHTSA has analyzed this rulemaking action in accordance with the principles and criteria of E. O. 12612 and has determined that this rule does

not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

(4) *National Environmental Policy Act.* NHTSA has analyzed this rulemaking action for the purposes of the National Environmental Policy Act and has determined that implementation of this rulemaking action will not have any significant impact on the quality of the human environment.

(5) *Paperwork Reduction Act.* The provisions of this final rule requiring manufacturers to provide information in owners' manuals explaining the UTQGS tire quality grades for the benefit of consumers are considered to be third-party information collection requirements as defined by the Office of Management and Budget (OMB) in 5 CFR part 1320. The information collection requirements for 49 CFR part 575 have been submitted to and approved by OMB pursuant to the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.* This collection of information authority has been assigned control numbers 2127-0049 for part 575, excluding the UTQGS; and 2127-0519, *Uniform Tire Quality Grading Standards*, 49 CFR part 575.104, and has been approved for use through September 30, 2001.

(6) *Civil Justice Reform.* The amendments in this final rule will have no retroactive effect. Under 49 U.S.C. 30103(b), whenever a Federal motor vehicle safety standard is in effect, a state or political subdivision of a state may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle only if the standard is identical to the Federal standard. However, the United States government, a state or political subdivision of a state may prescribe a standard for a motor vehicle or motor vehicle equipment obtained for its own use that imposes a higher performance requirement than that required by the Federal standard. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. A petition for reconsideration or other administrative proceedings is not required before parties may file suit in court.

(7) *Unfunded Mandates Reform Act.* The Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4) requires agencies to prepare a written assessment of the costs, benefits and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by state, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100

million annually. This final rule does not meet the definition of a Federal mandate because this rule involves very little, if any, additional costs to vehicle or tire manufacturers and in no case will annual expenditures exceed the \$100 million threshold.

List of Subjects in 49 CFR Part 575

Consumer protection, Labeling, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, 49 CFR part 575 is amended as follows:

PART 575—CONSUMER INFORMATION REGULATIONS

1. 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.

§ 575.2 [Amended]

2. Section 575.2(c) is amended by removing the definitions of *Brake power unit*, *Lightly loaded vehicle weight*, *Maximum loaded vehicle weight*, and *Maximum sustained vehicle speed*.

* * * * *

3. Section 575.6 is amended by revising paragraphs (a)(1), (d)(1)(i), (d)(1)(ii), and (d)(2), to read as follows:

§ 575.6 Requirements.

(a)(1) At the time a motor vehicle is delivered to the first purchaser for purposes other than resale, the manufacturer of that vehicle shall provide the Uniform Tire Quality Grading information required by § 575.104(d)(1)(iii) in the owner's manual of each vehicle it produces. The vehicle manufacturer shall also provide to the purchaser, in writing and in the English language, the information specified in § 575.103 of this part that is applicable to that vehicle. The information provided with a vehicle may contain more than one table, but the document must either:

(i) Clearly and unconditionally indicate which of the tables apply to the vehicle with which it is provided, or

(ii) Contain a statement on its cover referring the reader to the vehicle certification label for specific information concerning which of the tables apply to that vehicle. If the manufacturer chooses option in paragraph (a)(1)(ii) of this section, the vehicle certification label shall include such specific information.

Example 1. Manufacturer X furnishes a document containing several tables that apply to various groups of vehicles that it produces. The document contains the following notation on its front page: "The information that applies to this vehicle is

contained in Table 5." That notation satisfies the requirement.

Example 2. Manufacturer Y furnishes a document containing several tables as in Example 1, with the following notation on its front page:

"Information applies as follows:

Model P. Regular cab, 135 in. (3,430 mm) wheel base—Table 1.

Model P. Club cab, 142 in. (3,607 mm) wheel base—Table 2.

Model Q—Table 3."

This notation does not satisfy the requirement, since it is conditioned on the model or the equipment of the vehicle with which the document is furnished, and therefore additional information is required to select the proper table.

* * * * *

(d)(1)(i) Except as provided in paragraph (d)(1)(ii) of this section, in the case of all sections of subpart B other than § 575.104, as they apply to information submitted prior to new model introduction, each manufacturer of motor vehicles shall submit to the Administrator 2 copies of the information specified in subpart B of this part that is applicable to the vehicles offered for sale, at least 90 days before information on such vehicles is first provided for examination by prospective purchasers pursuant to paragraph (c) of this section.

(ii) Where an unforeseen preintroduction modification in vehicle design or equipment results in a change in vehicle performance for a characteristic included in subpart B of this part, a manufacturer of motor vehicles may revise information previously furnished under paragraph (d)(1)(i) of this section by submission to the Administrator of 2 copies of the revised information reflecting the performance changes, at least 30 days before information on such vehicles is first provided to prospective purchasers pursuant to paragraph (c) of this section.

(d)(2) In the case of § 575.104, and all other sections of subpart B as they apply to post-introduction changes in information submitted for the current model year, each manufacturer of motor vehicles, each brand name owner of tires, and each manufacturer of tires for which there is no brand name owner shall submit to the Administrator 2 copies of the information specified in subpart B of this part that is applicable to the vehicles or tires offered for sale, at least 30 days before it is first provided for examination by prospective purchasers pursuant to paragraph (c) of this section.

* * * * *

4. Section 575.104 is amended by revising (c)(1), (d)(1)(i), and (d)(1)(iii), to read as follows:

§ 575.104 Uniform Tire Quality Grading Standards

* * * * *

(c) *Application.* (1) This section applies to new pneumatic tires for use on passenger cars. However, this section does not apply to deep tread, winter-type snow tires, space-saver or temporary use spare tires, tires with nominal rim diameters of 12 inches or less, or to limited production tires as defined in paragraph (c)(2) of this section.

* * * * *

(d) * * *

(1)(ii) In the case of the information required by § 575.6(c) to be furnished to prospective purchasers of tires, each tire manufacturer or brand name owner shall, as part of that information, list all possible grades for traction and temperature resistance, and restate verbatim the explanation for each performance area specified in Figure 2. The information need not be in the same format as in Figure 2. The information must indicate clearly and unambiguously the grade in each performance area for each tire of that manufacturer or brand name owner offered for sale at the particular location.

(iii) Each manufacturer of motor vehicles equipped with passenger car tires shall include in the owner's manual of each such vehicle a list of all possible grades for traction and temperature resistance and restate verbatim the explanation for each performance area specified in Figure 2, Part II. The information need not be in the exact format of Figure 2, Part II, but it must contain a statement referring the reader to the tire sidewall for the specific tire grades for the tires with which the vehicle is equipped, as follows:

Uniform Tire Quality Grading

Quality grades can be found where applicable on the tire sidewall between tread shoulder and maximum section width. For example:

Treadwear 200 Traction AA Temperature A

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Issued on: May 14, 1999.

Ricardo Martinez,

Administrator.

[FR Doc. 99-13064 Filed 5-21-99; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No. 990414095-9095-01; I.D. 033199B]

RIN 0648-AM57

Regulations Governing the Taking of Marine Mammals by Alaskan Natives; Marking and Reporting of Beluga Whales Harvested in Cook Inlet

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule amends 50 CFR 216.23 to require the marking and reporting of beluga whales, *Delphinapterus leucas*, harvested from Cook Inlet, Alaska, by Alaskan Natives. Comments are requested. The marking and reporting is necessary to provide essential biological data for the management and conservation of the stock. The effect of the information will be to provide a more sound scientific basis for management of the stock.

DATES: Effective May 24, 1999.

Comments on the interim rule will be accepted until June 23, 1999.

ADDRESSES: Comments on the interim rule should be addressed to the Assistant Regional Administrator for Protected Resources, National Marine Fisheries Service, P.O. Box 21668, Juneau, Alaska 99802-1668. A copy of the Environmental Assessment for this action may be obtained by contacting Brad Smith; NMFS, 222 West 7th Avenue, Box 43, Anchorage, Alaska 99513. Comments regarding the burden-hour estimate or any other aspect of the collection of information in this rule should be sent to the preceding individual and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: NOAA Desk Officer, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Brad Smith; telephone (907) 271-5006.

SUPPLEMENTARY INFORMATION:

Background

The Marine Mammal Protection Act of 1972 (MMPA), as amended, was enacted for the purpose of ensuring the long-term survival of marine mammals by establishing Federal responsibility for their conservation and management. The MMPA imposed a general