

is therefore exempt from the notice requirements imposed by 5 U.S.C. 553(b) and is being published as a final rule. Finally, by the authority contained in 5 U.S.C. 553(d)(2), the statement of policy contained in this amendment may be made effective in less than 30 days after its publication in the Federal Register.

Drafting Information

The principal persons involved in drafting this rule are Mr. Joseph A. Yglesias, Project Manager, Office of Merchant Marine Safety, and Lt. Jack Orchard, Project Counsel, Office of the Chief Counsel.

Discussion of the Amendment

Designation of Home Port. In 1925, Congress passed a statute which allowed the owner of a vessel to "fix and determine" the vessel's home port "subject to the approval of the Commissioner of Customs" (now the Commandant of the Coast Guard). The Coast Guard, at 46 CFR 67.19-7, retained this high standard of review and required submission to the Commandant whenever the owner sought a home port designation where:

a. The port was not the same as the port nearest the place in the same marine inspection zone where the vessel business of the owner was being conducted.

b. The vessel was foreign-built and not previously documented as a vessel of the United States.

c. The vessel had been transferred to an alien or placed under foreign registry subsequent to being built in the United States or documented as a vessel of the United States.

d. Title had passed by operation of law prior to the documentation as a vessel of the United States or subsequent to the date of acquisition of title by the last owner of record.

e. The vessel was owned by a corporation which qualified as a "citizen of the United States" only under the definition contained in 46 CFR 67.03-7(a).

While each of these occurrences involves a documentation process which deviates from the standard set of procedures, it is no longer felt that the Coast Guard Commandant's approval is necessary as a prerequisite to the approval of an owner's home port designation. Therefore, this requirement is being eliminated and the Officer in Charge, Marine Inspection (OCMI), or the documentation officer for the port at which a designation is filed, may approve the designation. The Commandant's review will not be eliminated entirely, but will, in the future, occur on a random basis after the

OCMI's prior approval of designation. This will eliminate a time delay experienced under the present method of approval. The OCMI or the documentation officer may, if necessary, consult the Commandant for advice prior to approval. For these reasons, the requirement for the Commandant's recommendation contained in 46 CFR 67.19-7, and corresponding references to this recommendation contained in §§ 67.19-9, 67.19-11, and 67.19-13, have been eliminated.

Foreign-Built and American-Built, Foreign-Flag Vessels

Prior to the issuance of any marine documents for the registry of a foreign-built vessel or an American-built, foreign-flag vessel, the Commandant's approval, in the past, has been required. The Coast Guard believes that this prior approval step is unnecessary and creates time delays which are unjustified. Marine documents which fall within these two categories will be issued directly by the OCMI, with no prior approval by the Commandant. The Commandant will, however, continue to review these documents on a random basis after they are issued. For these reasons, the review requirements set forth in §§ 67.63-7 and 67.65-9, are eliminated.

This regulation has been reviewed under the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034, 15 February 1979). A Final Evaluation has not been prepared since the expected impact of this rule is so minimal that an evaluation is not necessary. It is anticipated that this amendment will not impose, but rather will reduce, costs to both the private and governmental sectors.

In consideration of the foregoing, Part 67 of Title 46, Code of Federal Regulations, is amended as follows:

§ 67.19-7 [Deleted]

1. By deleting § 67.19-7.
2. By amending § 67.19-9 to read as follows:

§ 67.19-9 Approval of designation.

The Officer in Charge or documentation officer for the port at which a designation is filed in accordance with § 67.19-1 may approve that designation provided recordable instruments covering each sale, gift, or conveyance (including a conveyance in trust), if any, since the acquisition of title by the last owner of record are presented with the designation. The Officer in Charge, or the documentation officer for the port at which a designation is filed when authorized by

the Officer in Charge, may waive the requirements for production of recordable instruments of conveyances and may approve that designation if he is satisfied that it is impracticable to furnish any such instrument and that the owner has legal title to the vessel.

(Sec. 1, 43 Stat. 947, as amended; 46 U.S.C. 18.)

§ 67.19-11 [Amended]

3. By deleting paragraph (b) of § 67.19-11.

4. By amending § 67.19-13 to read as follows:

§ 67.19-13 Vessel to be documented substantially simultaneously with approval of designation.

No officer or employee of the Coast Guard designated to grant approvals of designations of home ports shall approve any such designation unless it appears that the vessel will be documented as a vessel of the United States substantially simultaneously with the approval of the designation by any such officer or employee. When a designation has been approved and the vessel is not so documented, the approval granted shall be cancelled. The Officer in Charge, in subsequently transmitting a copy of a new designation by the same owner shall indicate in his remarks the date of the previous approval and that it was cancelled because of failure to document the vessel.

(Sec. 1, 43 Stat. 947, as amended; 46 U.S.C. 18.)

§ 67.63-7 [Deleted]

5. By deleting § 67.63-7.

§ 67.65-9 [Deleted]

6. By deleting § 67.65-9.

(Sec. 2, 23 Stat. 118, as amended, sec. 1, 43 Stat. 947, as amended; 46 U.S.C. 2, 11, 13, 18, 883; 49 CFR 1.46(b).)

R. H. Scarborough,
Vice Admiral, U.S. Coast Guard, Acting
Commandant.

November 15, 1979.

[FR Doc 79-36788 Filed 11-28-79; 8:45 am]

BILLING CODE 4910-14-M

National Highway Traffic Safety Administration

49 CFR Part 570

[Docket No. 73-9; Notice 14]

Vehicle in Use Inspection Standards; Spring Spacers

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Final rule.

SUMMARY: This document amends the Vehicle In Use Inspection Standards (49 CFR Part 570) by eliminating the prohibition against the use of spring spacers installed in a symmetrical configuration, and adds a prohibition against the use of spring spacers installed in an asymmetrical configuration. This was initiated in conformance with NHTSA regulatory procedure in response to a petition and certain safety concerns.

EFFECTIVE DATE: November 29, 1979.

FOR FURTHER INFORMATION CONTACT: William Ostapenko, Office of State Vehicle Programs, Traffic Safety Programs, National Highway Traffic Safety Administration, Washington, D.C. 20590, 202-426-1597.

SUPPLEMENTARY INFORMATION: On September 23, 1976, the National Highway Traffic Safety Administration (NHTSA) issued a Notice of Proposed Rulemaking which proposed permitting the use of two resilient spacers per spring in the suspension system of vehicles with a GVWR of 10,000 pounds or less (Docket No. 73-9; Notice 11, 41 FR 43191, September 30, 1976). The proposal was in response to a petition from JAMCO International, Inc.

In response to this proposal, a number of comments were received. None, however, addressed themselves to whether the use of spacers presented a potential degradation of safety. For this reason, the NHTSA contracted for research to be carried out on the effects of spring sag, uncorrected and corrected by spacers, on vehicle handling and braking. The final report of the contractor was placed in the docket to allow the public an opportunity to comment.

Using a Ford LTD and an American Motors Matador, the contractor carried out a series of normal, low lateral, and emergency, high lateral acceleration maneuvers. These maneuvers were carried out while the vehicles were equipped with sagged springs, and then while the vehicles were equipped with several types of spring spacers installed in symmetric and asymmetric configurations. A configuration is symmetric if the spring spacers are installed on both front springs, both back springs, or all four springs. A configuration is asymmetric if the spring spacers are installed on the springs on either the right or the left side of the vehicle.

The results of the study demonstrated a decrease in vehicle stability during high lateral acceleration maneuvers when spring spacers were installed in

an asymmetrical fashion. One example of this type of maneuver is the double lane change, which is encountered when one vehicle passes another vehicle and then returns to the same lane. The study found no decrease in vehicle stability when the spacers were installed in a symmetrical configuration.

The only comment to the docket concerning this report was from Jamco International, Inc. (JAMCO), a manufacturer of spring spacers. JAMCO pointed out that their spring spacers are sold in sets of four, and purchasers are specifically instructed to install them symmetrically. It was JAMCO's view that spring spacers should only be prohibited when installed asymmetrically.

The agency concurs in this view. Since there is no indication of a safety problem when spacers are installed symmetrically, they should be permitted to be used in this configuration. Conversely, the results of the agency's research demonstrates a safety problem with spacers installed in an asymmetric configuration, and they should be prohibited if they are installed in this configuration. The Vehicle In Use Inspection Standards are amended accordingly.

The agency advises all manufacturers to package and promote their spring spacers in a way that makes clear to purchasers that spacers must be installed in a symmetrical configuration. In light of the agency's findings concerning the safety problems of asymmetrical configurations, the agency will in the future consider the recall of any spacers packaged with inadequate instructions.

The agency has reviewed the regulatory impact of this amendment and found it to be minimal. Since it eliminates a current prohibition, it will impose no burden on either the States or vehicle owners. Further, it imposes no economic burden on any party, as it authorizes a less expensive method of correcting sagged springs than replacing them.

The principal authors of this notice are William Ostapenko of the Office of State Vehicle Programs and Frederic Schwartz, Jr., of the Office of Chief Counsel.

In consideration of the foregoing, § 570.8(a) in Title 49, Code of Federal Regulations, is amended to read as follows:

§ 570.8 Suspension systems.

(a) *Suspension condition.* Ball joint seals shall not be cut or cracked. Structural parts shall not be bent or damaged. Stabilizer bars shall be connected. Springs shall not be broken,

or extended above the vehicle manufacturer's design height. Spacers, if installed, shall be installed on both front springs, both rear springs, or on all four springs. Shock absorber mountings, shackles, and U-bolts shall be securely attached. Rubber bushings shall not be cracked, extruded out from or missing from suspension joints. Radius rods shall not be missing or damaged.

(Sec. 103, 108, 119, Pub. L. 89-563, 80 Stat. 718, (15 U.S.C. 1392, 1397, 1407); delegation of authority at 49 CFR 1.50(b)).

Issued on: November 20, 1979.

Joan Claybrook,

Administrator, National Highway Traffic Safety Administration.

[FR Doc. 79-36507 Filed 11-28-79; 8:45 am]

BILLING CODE 4910-59-M

49 CFR Part 571

[Docket No. 78-16; Notice 2]

Occupant Protection in Interior Impact; Impact Protection for the Driver From the Steering Control System; Steering Control Rearward Displacement

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Final rule.

SUMMARY: This notice amends Federal Motor Vehicle Safety Standards Nos. 201, 203 and 204 to extend their applicability to light trucks, buses and multipurpose passenger vehicles (MPV's). The notice is issued in response to the rising death and injury toll involving these vehicles and to petitions by the Center for Auto Safety and the Insurance Institute for Highway Safety requesting that these standards be extended to those vehicles. Applying these standards to light trucks, buses and MPV's will reduce occupant deaths and injuries in those vehicles by requiring the use of energy absorbing material on such interior components as the instrument panel and seat backs (Standard No. 201), by limiting the amount of force that can be exerted on the driver's chest by the steering wheel in frontal crashes (Standard No. 203), and by limiting the rearward movement of the steering assembly in frontal crashes (Standard No. 204).

EFFECTIVE DATE: The effective date for the extension of applicability of Standards Nos. 201, 203 and 204 is September 1, 1981.

ADDRESS: Petitions for reconsideration should refer to the docket number and be submitted to: Docket Section, Room 5108, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Mr. William Smith, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590, (202-426-2242).

SUPPLEMENTARY INFORMATION:

This notice amends Standard No. 201, *Occupant Protection in Interior Impact*, and Standard No. 203, *Impact Protection for the Driver From the Steering Control System*, to extend the applicability of those standards to trucks, buses and multipurpose passenger vehicles (MPV's) with a gross vehicle weight rating (GVWR) of 10,000 pounds or less. This notice also amends Standard No. 204, *Steering Control Rearward Displacement*, to extend its applicability to trucks, buses and MPV's with an unloaded vehicle weight of 4,000 pounds or less, instead of all trucks, buses and MPV's with a GVWR of 10,000 pounds or less, as originally proposed in the agency's November 9, 1978, notice of proposed rulemaking (43 FR 52264). As explained below, the agency is initially limiting the extended applicability of Standard No. 204 while it studies methods for dealing with final-stage manufacturer certification difficulties. Similar possible problems with Standard No. 212-76, *Windshield Mounting*, and Standard No. 219-75, *Windshield Zone Intrusion*, led the agency to propose changes in the testing procedures for those standards (44 FR 45426).

For the purposes of Standard No. 204, the agency has determined that these problems would not be encountered in applying the standard to vehicles with an unloaded vehicle weight of 4,000 pounds or less and testing them at their unloaded vehicle weight. Approximately 75 percent of the current sales of light trucks, buses and MPV's with a GVWR of 10,000 pounds or less have an unloaded vehicle weight of 4,000 pounds or less.

This final rule was preceded by a notice proposing the extension of the applicability of Standards Nos. 201, 203 and 204 in November 1978 (43 FR 52264). Private citizens, safety organizations, manufacturers and a manufacturer trade association submitted comments on the proposal. NHTSA has considered all of those comments and the most significant ones are discussed below.

Safety Need

Citing the need to reduce the number of deaths and injuries in light trucks, buses and MPV's, the American Automobile Association, the Center for Auto Safety, the Insurance Institute for Highway Safety and State Farm Insurance Companies supported

application of the standards to those vehicles.

Although it did not object to extending the applicability of Standards Nos. 201, 203, and 204 to light trucks, buses and MPV's, General Motors argued that manufacturers should be given a longer lead time to comply with the standards because of the lack of urgent safety need. GM said that allowing a longer leadtime was desirable to ensure compliance, "without costly accelerated [design] programs." Using data from the agency's "Explanation of Rulemaking," GM said that light trucks, buses and MPV's have a fatality rate of 22.4 fatalities per billion miles, compared with a rate of 25.3 fatalities per billion miles for passenger cars. The data GM used covers fatalities during 1977 and all model year vehicles. A new analysis done by NHTSA of 1977 fatalities, reported by the agency's Fatal Accident Reporting System, shows that although older model year light trucks, buses and MPV's may have had a lower fatality rate than passenger cars, beginning with the 1973 model year, the combined fatality rate for light trucks, buses and MPV's began surpassing that of passenger cars. The analysis shows that recent model year passenger cars have a considerably lower fatality rate than light trucks, buses and MPV's. (A copy of that analysis has been placed in the docket.)

In addition to being higher than the combined fatality rate for all sizes of passenger cars, the combined fatality rate of light trucks, buses and MPV's is far higher than the rate for full-size passenger cars. Full-size cars are typically the safest of cars and many of them are comparable in size and weight to light trucks, buses and MPV's. In theory, occupants of larger and heavier vehicles, such as trucks, buses and MPV's, should experience less harmful crash forces, and thus presumably incur fewer or less severe injuries, than occupants of smaller lighter vehicles. Volkswagen has previously objected to a comparison of full-size passenger fatality rates with those for vans, arguing that vans are comparable in weight to intermediate, not full-size passenger cars. Although the unloaded weight of vans and intermediate-size passenger cars may be comparable, vans have a higher gross vehicle weight rating which means that those vehicles can, in actual use, be loaded with substantially more weight than intermediate and even full-size passenger cars.

Volkswagen also questioned the safety need for the proposed rulemaking because of the voluntary compliance by

VW and some other companies with the standards. Although the voluntary effort by some companies is commendable, most manufacturers do not comply with all of the standards in all of their vehicles. Some of the manufacturers who have taken steps to comply with the standard presumably were in part motivated by prior NHTSA rulemaking notices proposing to apply Standards Nos. 201, 203 and 204 to light trucks, buses and MPV's (35 FR 14936, 14940 and 16805). In the absence of a regulation, there is no assurance that non-complying manufacturers will produce complying vehicles and that manufacturers producing currently complying vehicles will continue to comply. Manufacturers who currently comply should experience only minor economic impacts, such as conducting certification tests, as a result of compelling other manufacturers to comply.

Effectiveness

The Motor Vehicle Manufacturers Association (MVMA) questioned the potential effectiveness of Standards Nos. 201, 203 and 204. MVMA argued that a study done by Sherman and Huelke of light truck and van accidents found that the standards would have little effect in those vehicles. However, a NHTSA analysis of the crashes reviewed by Sherman and Huelke found that a number of the crashes clearly demonstrated the benefits of equipping light trucks and vans with energy-absorbing instrument panels and steering columns and devices to limit the rearward displacement of the steering column. For example, Sherman and Huelke studied a 15-20 mph head-on crash of a 1976 Chevrolet pickup truck into a tree. The Chevrolet was equipped with a padded instrument panel, an energy-absorbing steering column and a device to limit the rearward displacement of the steering column. They reported, "the results of this case show that both of the major energy absorbing components appeared to have completely activated, both by the vehicle crash and driver impact, providing maximum benefit to the driver. Had this vehicle been one of the other vehicle cases discussed in this section, we feel that the injuries sustained by the driver would have been much more severe."

NHTSA believes further that the Sherman and Huelke study provides information indicating that there is a need for even more improvements in light trucks and vans, such as providing energy-absorbing padding for the lower instrument panel. The agency is studying the question of making

appropriate changes in the performance requirements of the standards to require more protection. However, NHTSA considers it important not to delay extending the current benefits of Standards Nos. 201, 203 and 204 while it reviews possible changes to the standards.

MVMA also argued that a comparison of the injury experience of passenger car steering assemblies with the experience of steering assemblies in light trucks and vans shows that Standards Nos. 203 and 204 "would provide little benefit" in those vehicles. Using data from the agency's original analysis of the injury experience of passenger cars produced before and after Standards Nos. 203 and 204 took effect, MVMA said that the primary benefit of the standards is to reduce moderate instead of severe-to-fatal injuries. It pointed out that 65.6 percent of the steering assembly related injuries in pre-standard cars were minor, 22.7 percent were moderate and 11.9 percent were severe-to-fatal. In post-standard cars, 78.8 percent of the steering assembly related injuries were minor, 10.2 percent were moderate and 11.0 were severe-to-fatal. Thus, in post-standard cars, many previously moderate injuries were only minor injuries. Using data from a Calspan study of light truck and van injuries, MVMA said that 83.5 percent of the steering column related injuries in those vehicles are minor, 4.1 percent are moderate and 12.4 percent are severe-to-fatal. MVMA said that the Calspan data indicate that there is "little room" for a passenger car-type of injury experience change from moderate to minor injuries in light trucks and vans.

However, the Calspan data cited by MVMA are not comparable with the NHTSA data and probably underestimate the percentage of moderate and severe-to-fatal steering assembly related injuries in light trucks and vans. The Calspan data include injuries from all types of impacts (front, rear and side). The NHTSA data, on the other hand, cover only frontal crashes, the type of crashes which are most likely to cause severe-to-fatal steering assembly related injuries. Thus, the percentage of moderate and severe-to-fatal injuries found in the NHTSA data should be greater. In addition, an updated NHTSA analysis of passenger car injury experience, discussed below, shows that Standards Nos. 203 and 204 are effective in reducing both moderate and severe-to-fatal injuries. Further, even if the actual light truck and van injury distribution were the same as found by Calspan, Standards Nos. 203

and 204 would be effective in reducing the number of severe-to-fatal injuries.

Several manufacturers and the MVMA objected to the agency's use of passenger car data to estimate the potential effectiveness of the three standards in light trucks, buses and MPV's. They argued that the agency should instead have conducted a study comparing the accident experience of light trucks, buses and MPV's that currently comply with the standards with the experience of those that do not comply. As explained below, NHTSA concludes that such a study is impractical and that the agency's original and updated analyses of passenger car effectiveness data are valid and support application of the standards to light trucks, buses and MPV's.

The primary difficulty in conducting a study of current light trucks, buses and MPV's is that there is no conclusive information identifying which vehicles are currently in compliance with the standard since no manufacturer is required to certify compliance. For example, International Harvester (IH) requested NHTSA to conduct a study of currently complying light trucks, buses and MPV's saying that its Scout models were designed to comply with the performance requirements of Standards Nos. 201, 203 and 204. However, IH said that if the NHTSA applies the standards to light trucks, buses and MPV's, it will have to retest the Scout, which "could conceivably require some additional redesigning for compliance assurance." NHTSA believes that the analysis the agency conducted of pre-and post-1968 passenger car injury experience, where it was known that passenger cars manufactured on or after January 1, 1968, had to comply with Standards Nos. 201, 203 and 204, provides a sound basis for estimating the potential effectiveness of the standards in other types of vehicles.

Using information recently made available from the agency's national Crash Severity Study, NHTSA has again compared injuries sustained by occupants of cars manufactured before Standards Nos. 201, 203 and 204 went into effect with injuries sustained by occupants of cars manufactured after the standards went into effect. As with the agency's first analysis, cited in the November 9, 1978, notice for this rulemaking, the new analysis examined injuries caused by components covered by Standard No. 201, such as instrument panels, seat backs, arm rests and sun visors. The analysis found that Standard No. 201 reduced severe to fatal occupant injuries (i.e., injuries with an

abbreviated injury scale ranking of 3 or more) by approximately 38 percent. The analysis also found that the probability of an occupant injured in a crash being injured by a component covered by Standard No. 201 was 25.7 percent. Thus, multiplying the probability of injury (i.e., 25.7 percent) by the effectiveness of the standard in reducing serious and fatal injuries (i.e., 38 percent) the analysis estimated that the overall reduction in severe-to-fatal injuries attributable to Standard No. 201 is 9.3 percent.

A similar comparison was made for occupant injuries in cars manufactured before and after Standards Nos. 203 and 204 went into effect. The comparison examined two sets of driver injuries that occurred in frontal crashes. One set consisted of injuries that could be specifically attributed to contact with the steering assembly; the other set consisted of neck, chest and abdominal injuries sustained by drivers in frontal crashes, the types of steering assembly-related injuries that standards are designed to reduce. The comparison found that Standards Nos. 203 and 204 reduced severe-to-fatal injuries by an average of 20.9 percent. The probability of an injured driver receiving an injury attributable to the steering assembly was an average of 19.4 percent. The analysis estimated that Standards Nos. 203 and 204 produced an overall average reduction of 3.7 percent in severe-to-fatal driver injuries.

Loading Requirements

At present, Standard No. 204 does not specify the loading requirements for vehicles in the 30 mph fixed barrier crash test required by the standard. In conducting Standard No. 204 compliance tests for passenger cars, the agency has loaded passenger cars to their unloaded vehicle weight (i.e., the weight of the vehicle with all the fluid, such as gas, oil and water, necessary for its operation but without any occupants or cargo). This is the least severe loading condition used in the Federal motor vehicle safety standards that involve crash testing. This notice makes a technical amendment to Standard No. 204 to incorporate the agency long-standing loading practices. Those practices were publicly announced in the compliance test procedures publicly released by the agency when Standard No. 204 first went into effect in 1968. Passenger car certification information provided by manufacturers to NHTSA shows that they have consistently used unloaded vehicle weight as the loading condition in their testing. In some instances, manufacturers have

voluntarily used more severe loading conditions in their certification testing.

Commercial Vehicles

Several final stage manufacturers and United Parcel Service requested the agency to exempt vehicles used in commercial applications from the standards. A similar exemption has previously been sought by the Truck Body and Equipment Association (TBEA) for Standard No. 212-76, *Windshield Mounting*, and Standard 219-75, *Windshield Zone Intrusion*. As with the TBEA request, NHTSA concludes that such an exemption should not be adopted since it is not in the interest of safety and is based on vehicle use instead of vehicle type. Such an exemption would mean that standards would be applied on the basis of the commercial or private use of the vehicle and not upon the safety needs of a particular vehicle type. Since the safety needs of similar vehicles usually are similar, it would be inappropriate to treat one set of vehicles differently merely because they are used commercially.

The National Traffic and Motor Vehicle Safety Act contemplates the application of the standards based on vehicle type instead of vehicle use. Basing a standard on vehicle use would present this agency with difficult enforcement problems. It would also place a manufacturer in the difficult position of having to assess in advance the potential future use of the vehicle it produces. In addition, basing standards application on vehicle use does not recognize that a vehicle may have two or more uses during its lifetime.

For all these reasons, the agency concludes that applying standards based on vehicle use would not be appropriate.

Walk-In Vans

GM, MVMA and several final-stage manufacturers requested the agency to exempt walk-in vans (i.e., the "step-van" city delivery type of vehicle that permits a person to enter the vehicle without stooping) from Standards Nos. 201, 203 and 204. In the case of Standard No. 201, they argued that this type of vehicle frequently has none of the components covered by the standard, such as arm rests, sun visors and instrument panels to the right of the steering assembly. However, those vehicles do have an instrument panel in front of the driver and some walk-in vans do have a front passenger seat and an instrument panel in front of that seat which may be struck by an occupant during a crash. Applying Standard No. 201 to those vehicles will require the instrument panel to be

padded to cushion occupant impacts. Based on the proven effectiveness of Standard No. 201 in passenger cars, the agency is extending the performance requirements of the standard to include walk-in vans and MPV's.

The manufacturers argued that walk-in vans should be exempt from Standards Nos. 203 and 204 also. They said that the driver steering assembly configuration found in walk-in vans makes it improbable that compliance with the standard will reduce drivers' injuries. They noted that the steering column is mounted in those vehicles at an angle of 55-60 degrees, compared to the mounting angle of 30 degrees found in conventional trucks, and the columns in walk-in vans move upward rather than rearward in a crash. The manufacturers also argued that these vehicles are generally used in urban areas, where there is more slow speed traffic than in rural areas. They pointed out that because of these factors, the agency has previously exempted walk-in vans from Standards Nos. 212-76, *Windshield Retention*, and 219-75, *Windshield Zone Intrusion*. The agency agrees that current energy absorbing steering column designs probably would provide little, if any, protection in walk-in vans because of their unique driver/steering column configuration, and thus is exempting walk-in vans for the present.

Belts in Forward Control Vehicles

Although they did not object to requiring lap-shoulder belts in forward control vehicles as proposed in the agency's November 9, 1978 notice, several manufacturers and the MVMA objected to what they interpreted as a conflict between the agency's proposal and the current requirements of Standard No. 208, *Occupant Crash Protection*. They argued that the agency's proposal not only would require lap and shoulder belts in forward control vehicles, but would also require such belts in open-body vehicles, convertibles and walk-in vans, which currently only have to have lap belts. The agency's proposal was directed only toward forward control vehicles and was meant to supersede the current requirements for those vehicles set in Standard No. 208. For organizational simplicity, the agency is making a technical amendment to Standard No. 208 so that all belt requirements are centralized in that standard. The amendment only adopts the proposed change to the forward control vehicle belt requirements. It does not change the current belt requirements for open-body vehicles, convertibles and walk-in vans.

MVMA requested the agency to require lap and shoulder belts in forward control vehicles for only one model year. MVMA did not provide any justification for that request. NHTSA believes that the important protection of lap and shoulder belts should be available to all forward control vehicles manufactured on or after September 1, 1981, and declines to adopt the MVMA request.

Upgrading of Standard

In their comments, the Center for Auto Safety and the Insurance Institute for Highway Safety renewed their requests that the agency set new performance requirements for Standard No. 203 to provide additional protection in angular impacts. The agency has conducted some preliminary testing to determine what additional requirements may be appropriate to increase protection in angular impacts. In addition, the agency's National Center for Statistics and Analysis has recently begun a special study to collect accident data on 1973 and later model vehicles to gather additional information on the effectiveness of energy absorbing steering assemblies in angular and other crashes. Based on that data, NHTSA will make a determination of what further changes are needed in the standard.

The American Automobile Association asked the agency to delay application of Standard No. 203 until upgraded performance requirements are developed. However, because the agency does not want to delay providing the occupants of light trucks, buses and MPV's with the safety benefits of Standard No. 203, the agency is extending the standards to those vehicles while it continues to consider the feasibility of additional performance requirements.

NHTSA is also considering possible additional requirements for Standard No. 201. The agency has scheduled a meeting for December 11, 1979, so that the public can present its views and ideas on ways of improving protection for children involved in vehicle collisions. In the September 4, 1979, notice announcing the meeting, the agency specifically asked for comments on possible improvements to the interior padding of vehicles to provide additional protection for children (44 FR 51623).

Heavy Trucks

In the November 9, 1978 notice, NHTSA announced that it was evaluating whether to extend the applicability of Standards Nos. 201, 203 and 204 to heavy trucks (i.e., trucks with

a GVWR of more than 10,000 pounds) and solicited comments on appropriate performance requirements for those vehicles.

In their comments, the Motor Vehicle Manufacturers Association, Freightliner and International Harvester all opposed an extension of the standards to trucks with a GVWR greater than 10,000 pounds, arguing that there is no data showing a safety need for applying the standards to those vehicles. They also argued that because of the size and weight of heavy trucks, occupants in these vehicles do not experience the same energy transfers in a crash than passenger car occupants experience and thus theoretically should incur fewer or less severe injuries. At the agency's recent meeting on heavy truck safety, several participants provided information on the need for greater crash protection for drivers of heavy trucks. NHTSA is currently analyzing that information to determine what additional heavy truck regulatory action may be needed.

Miscellaneous Comments

MVMA pointed out that Standard No. 201 currently requires two sun visors in a vehicle and requested that a second visor not be required if there is no front passenger seat. NHTSA agrees that such a change is appropriate and has made the necessary amendment to the standard.

Jeep Corp. objected to the application of Standard No. 201 to open-body MPV's, arguing that for Jeep to locate padding in the expected head impact area it would have to raise its padding or lower its seat, both of which it claimed would interfere with the driver's forward visibility. Jeep's comment appears to reflect a misunderstanding of Standard No. 201. The performance requirements of the standard only apply to areas of the instrument panel that are within the head impact area of each designated seating position. (The head impact area is the portion of the vehicle's interior that can be contacted by a headform representing an occupant's head.) Thus, if a portion of Jeep's vehicle instrument panel is not within the head impact area, it does not have to comply. For portions of the panel that are within the head impact area, Jeep can make structural changes to the instrument panel to meet Standard No. 201 without adding additional padding. Therefore, Jeep's requested exemption for all open-body vehicles is denied.

One final stage manufacturer, Boyertown Auto Body Works, asked NHTSA whether its driver side instrument panel was within the

exceptions to Standard No. 201 and, if not, sought to have its instrument panel construed to be a console assembly, which is exempt from the standard. Such an interpretation is not acceptable since Boyertown clearly labels the area in question as an instrument panel in its engineering drawings. However, according to the engineering drawing provided by Boyertown, the limited section on the instrument panel of concern to Boyertown is within the area exempted by § 3.1.1(d) of the standard. That section provides that the area of the interior immediately forward of the steering column is exempt from the standard.

Costs and Leadtime

NHTSA has considered the economic and other impacts of this final rule and determined that they are not significant within the meaning of Executive Order 12044 and the Department of Transportation's policies and procedures for implementing that order. The agency's assessment of the benefits and economic consequences of this proposal are contained in a regulatory evaluation which has been placed in the public docket. As explained previously, copies of the regulatory evaluation can be obtained by writing NHTSA's docket section at the address given in the beginning of this final rule.

As previously detailed in this notice, the agency has examined the effectiveness of Standards Nos. 201, 203 and 204 in passenger cars and concluded that those standards have brought about a substantial reduction in overall injuries occurring to the passengers in those vehicles. Because they share the same driving environment as occupants in passenger cars, occupants in light trucks, buses and MPV's face a similar risk of injury posed by hazardous instrument panels and rigid steering columns. Based on its evaluation of the effectiveness of Standards Nos. 201, 203 and 204 in passenger cars, the agency has concluded that applying those standards to light trucks, buses, and MPV's can result in a reduction of 120 to 240 fatalities and 4,400 to 8,900 serious injuries per year when all those vehicles comply with the standards.

The agency's cost estimate for meeting Standards Nos. 201, 203 and 204 in light trucks, buses and MPV's take into account that many manufacturers have equipped some of their vehicles with components designed to meet the performance requirements of the standards. Those components may need little or no redesigning to fully comply with the standards. For example, American Motors, Chrysler, Ford,

General Motors, International Harvester and Volkswagen commented that some, if not all, of their vehicles currently have components designed to comply with the standards or they will install such components in some of their vehicles by the 1981 model year.

Only two manufacturers, Nissan and Ford, provided any information about the costs associated with complying with the standards. Nissan said that the cost associated with complying with all three standards was \$30. Ford estimated the cost for compliance with Standard No. 201 as \$10 per vehicle; based on preliminary design assumptions, Ford put the cost of complying with Standards Nos. 203 and 204 in its van-type trucks, buses and MPV's at \$120 per vehicle.

To provide the agency with additional information about the estimated costs of complying with the three standards, NHTSA contracted with the John Z. DeLorean Corp. to evaluate current vehicles and determine what changes would be needed to bring the vehicles into compliance. Based on its review of current foreign and domestic light trucks, buses and MPV's, DeLorean concluded that the total cost of compliance with the three standards would add a sales weighted average of \$16 to the retail price of those vehicles. The DeLorean study reported that the vehicles requiring the most changes to meet Standards Nos. 201, 203 and 204 were van-type trucks, buses and MPV's made by GM and Ford. DeLorean estimated that GM and Ford van-type vehicles would require a \$27 increase in consumer price to comply with Standards Nos. 203 and 204 and a price increase ranging between \$6 and \$15 to comply with Standard No. 201. The agency believes that the substantial difference between DeLorean's and Ford's estimate of the cost of compliance with Standards Nos. 203 and 204 may be due to Ford's overestimate of the anticipated changes needed in the vehicles based on its preliminary design assumptions.

The agency's November 1978 notice proposed an effective date of September 1, 1980, for Standard No. 201 for all vehicles and for Standards Nos. 203 and 204 for nonforward control vehicles. An effective date of September 1, 1981, was proposed for Standards Nos. 203 and 204 for forward control vehicles to allow manufacturers additional time to make the necessary changes in those vehicles. In their comments on Standard 201, Chrysler and Ford said they could meet the standard in all their vehicles by the proposed effective date. Nissan, Toyo Kogyo and International Harvester (IH)

requested from 18 to 24 months leadtime. General Motors requested 2½ years' leadtime and American Motors requested 3 years. As a part of its NHTSA-funded study of the costs of complying with the standard, the DeLorean Corp. also examined the leadtime necessary to comply with the standards. For Standard No. 201, the DeLorean study concluded that only one year was needed for all vehicles except van-type trucks, buses and MPV's manufactured by Chrysler and GM, which needed two years.

For Standards Nos. 203 and 204, Chrysler said that all its vehicles, except its incomplete forward control van-type vehicles, can comply by September 1, 1980. Chrysler did not provide an estimate of leadtime needed for its incomplete forward control vans. Nissan, Toyo Kogyo and IH requested from 18 to 24 months leadtime. Ford said its 1980 model year F-series trucks and Bronco models would comply with the standards and the Courier truck chassis cab imported by Ford would comply by September 1, 1981. Ford requested until September 1, 1982, for its van-type trucks, buses and MPV's. General Motors requested 2½ years for all its vehicles and American Motors requested three years.

The DeLorean study concluded that 18-24 months of leadtime was needed for all models, except those made by Ford, which would require three years. DeLorean made its estimate of leadtime for Ford based on an assumption that Ford would need extra steering assembly tooling facilities. However, since Ford plans to introduce complying components on its 1980 model F series trucks and Bronco models, Ford has apparently developed the needed tooling capacity.

Based on its analysis of the DeLorean study and of the industry's comments, NHTSA concludes that setting an effective date of September 1, 1981, will allow sufficient time for all manufacturers to comply with the standards. This action provides an additional year for all light trucks, buses and MPV's to meet Standard No. 201 and for nonforward control vehicles to meet Standards Nos. 203 and 204.

The principal authors of this notice are William Smith, Office of Vehicle Safety Standards, and Stephen Oesch, Office of Chief Counsel.

In consideration of the foregoing, the following amendments are made in Part 571, Title 49 of the Code of Federal Regulations:

1. Section S2 of Standard No. 201, *Occupant Protection in Interior Impact* (49 CFR 571.201), is amended to read as follows:

§ 571.201 Standard No. 201; Occupant protection in interior impact.

S2. Application. This standard applies to passenger cars and to multipurpose passenger vehicles, trucks and buses with a GVWR of 10,000 pounds or less.

2. Section S3.4.1 of Standard No. 201 is amended to read as follows:

S3.4.1 A sun visor that is constructed of or covered with energy-absorbing material shall be provided for each front outboard designated seating position.

3. The title of Section S3 of Standard No. 201 is amended to read as follows:

S3. Requirements for passenger cars and for trucks, buses and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less manufactured on or after September 1, 1981.

4. Sections S2 and S4 of Standard No. 203, *Impact Protection for the Driver from the Steering Control System* (49 CFR 571.203), are amended and a new S5 is added to Standard No. 203 to read as follows:

§ 571.203 Standard No. 203; Impact protection for the driver from the steering control system.

S2. Application. This standard applies to passenger cars and to multipurpose passenger vehicles, trucks and buses with a GVWR of 10,000 pounds or less. However, it does not apply to vehicles that conform to the frontal barrier crash requirements (S5.1) of Standard No. 208 (49 CFR 571.208) by means of other than seat belt assemblies. It also does not apply to walk-in vans.

S4. Requirements. Each passenger car and each multipurpose passenger vehicle, truck and bus with a GVWR of 10,000 pounds or less manufactured on or after September 1, 1981, shall meet the requirements of S5.1 and S5.2.

S5. Impact protection requirements.

S5.1 When the steering control system is impacted by a body block in accordance with Society of Automotive Engineers Recommended Practice J944, "Steering Wheel Assembly Laboratory Test Procedure," December 1965, or an approved equivalent, at a relative velocity of 15 miles per hour, the impact force developed on the chest of the body block transmitted to the steering control system shall not exceed 2,500 pounds.

S5.2 The steering control system shall be so constructed that no components or attachments, including horn actuating mechanisms and trim hardware, can catch the driver's clothing or jewelry during normal driving maneuvers.

5. Sections S2 and S4 of Standard No. 204, *Steering Control Rearward*

Displacement (49 CFR 571.204), are amended and new sections S5 and S6 are added to Standard No. 204 to read as follows:

§ 571.204 Standard No. 204; Steering control rearward displacement.

S2. Application. This standard applies to passenger cars and to multipurpose passenger vehicles, trucks and buses with a GVWR of 10,000 pounds or less. However, it does not apply to walk-in vans.

S4. Requirements. Each passenger car and each multipurpose passenger vehicle, truck and bus with an unloaded weight of 4,000 pounds or less manufactured on or after September 1, 1981, shall meet the requirement of S5.1.

S5. Rearward displacement requirements.

S5.1 The upper end of the steering column and shaft shall not be displaced horizontally rearward parallel to the longitudinal axis of the vehicle relative to an undisturbed point on the vehicle more than 5 inches, determined by dynamic measurement, when the vehicle, loaded to its unloaded vehicle weight, is impacted perpendicularly into a fixed collision barrier at a forward longitudinal velocity of 30 miles per hour.

6. Section S4.2.2 of Standard No. 208, *Occupant Crash Protection* (49 CFR 571.208), is amended to change the phrase, "except that forward control vehicles," to "except that forward control vehicles manufactured prior to September 1, 1981."

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued on November 20, 1979.

Joan Claybrook,
Administrator.

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49 CFR Part 575

[Docket 25; Notice 35]

Consumer Information Regulations; Uniform Tire Quality Grading

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Final rule.

SUMMARY: This notice amends the Uniform Tire Quality Grading (UTQG) Standards through minor modifications in the format of tire tread labels used to convey UTQG information. The modifications are intended to assure that tires are labeled with the correct