

States Code, Crimes and Criminal Procedures, and the Internal Security Act of 1950, as amended, title 50, United States Code, prescribe, under certain circumstances, criminal penalties for the unauthorized disclosure of information respecting the national security, and for loss, destruction, or compromise of such information.

(viii) That this statement is made to the U.S. Government to enable it to exercise its responsibilities for the protection of information affecting the national security.

(ix) That the applicant understands that any material false statement that the applicant makes knowingly and willfully will subject the applicant to the penalties of 18 U.S.C. 1001.

(4) The security office will process the forms in the same manner as specified for a preappointment national agency check for a critical-sensitive position. Upon receipt of the completed national agency check, the security office, if warranted, may determine that access by the applicant to the information will be clearly consistent with the interests of national security and the person to be granted access is trustworthy. If deemed necessary, before making its determination, the office may conduct or request further investigation. Before access is denied in any case, the matter will be referred through channels to the Director of Security for review and submission to the Personnel Security Review Board for final review.

(5) If access to TOP SECRET or intelligence or communications security information is involved a special background investigation is required. However, this investigation will not be requested until the matter has been referred through channels to the Director of Security for determination as to adequacy of the justification and the consent of other agencies as required.

(6) When it is indicated that an applicant's research may extend to material originating in the records of another agency, approval must be obtained from the other agency prior to the grant of access.

(7) Approvals for access will be valid for the duration of the current research project but no longer than 2 years from the date of issuance, unless renewed. If a subsequent request for similar access is made by the individual within 1 year from the date of completion of the current project, access may again be granted without obtaining a new National Agency Check. If more than 1 year has elapsed, a new National Agency Check must be obtained. The local security office will promptly advise its headquarters security staff of

all approvals of access granted under these provisions.

(8) An applicant may be given access only to that classified information that is directly pertinent to the applicant's approved project. The applicant may review files or records containing classified information only in offices under the control of the Department. Procedures must be established to identify classified material to which the applicant is given access. The applicant must be briefed on local procedures established to prevent unauthorized access to the classified material while in the applicant's custody, for the return of the material for secure storage at the end of the daily working period, and for the control of the applicant's notes until they have been reviewed. In addition to the security review of the applicant's manuscript, the manuscript must be reviewed by appropriate offices to assure that it is technically accurate insofar as material obtained from the Department is concerned, and is consistent with the Department's public release policies.

(b) *Former Presidential appointees.* Persons who previously occupied policymaking positions to which they were appointed by the President may be granted access to classified information or material that they originated, reviewed, signed, or received, while in public office, provided that:

(1) It is determined that such access is clearly consistent with the interests of national security; and

(2) The person agrees to safeguard the information, to authorize a review of the person's notes to assure that classified information is not contained therein, and that the classified information will not be further disseminated or published.

§ 8.31 Industrial security.

(a) *Background.* The National Industrial Security Program was established by Executive Order 12829 of January 6, 1993 for the protection of information classified pursuant to Executive Order 12356 of April 2, 1982, National Security Information, or its predecessor or successor orders, and the Atomic Energy Act of 1954, as amended. The Secretary of Defense serves as the Executive Agent for inspecting and monitoring contractors, licensees, grantees, and certificate holders that require or will require access to, or that store or will store, classified information, and for determining the eligibility for access to classified information of contractors, licensees, certificate holders, and grantees, and their respective employees.

(b) *Implementing regulations.* The Secretary of Transportation has entered into agreement for the Secretary of Defense to render industrial security services for the Department of Transportation. Regulations prescribed by the Secretary of Defense to fulfill the provisions of Executive Order 12829 have been extended to protect release of classified information for which the Secretary of Transportation is responsible. Specifically, this regulation is DOD 5220.22-M, National Industrial Security Program Operating Manual. This regulation is effective within the Department of Transportation, which functions as a User Agency as prescribed in the regulation. Appropriate security staffs, project personnel, and contracting officers assure that actions required by the regulation are taken.

Issued in Washington, DC, on May 31, 1996.

Federico Peña,

Secretary of Transportation.

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National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96-066; Notice 01]

RIN 2127-AG19

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment; Heavy Truck Conspicuity; Evaluation Plan

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

ACTION: Request for comment on proposed collection of information.

SUMMARY: NHTSA is initiating a study to evaluate the safety effects of the Conspicuity Systems requirement (Section 5.7) of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices, and Associated Equipment. To carry out the study, NHTSA has requested that special motor vehicle crash data be collected by two state law enforcement agencies. Before a Federal agency can collect certain information, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal Agencies must solicit public comment on the proposed collection of

information. In compliance with these procedures, NHTSA requests comments on the issues contained at the end of this notice.

DATES: Comments must be received by August 30, 1996.

ADDRESSES: Comments should refer to the docket and notice numbers set forth above and be submitted to the Docket Section, NHTSA, Room 5109, 400 Seventh Street SW., Washington, DC 20590 (Docket hours are from 9:30 a.m. to 4 p.m., Monday through Friday). It is requested, but not required, that one original plus 2 copies of the comments be provided.

FOR FURTHER INFORMATION CONTACT: Charles J. Kahane, Chief, Evaluation Division, Office of Strategic Planning and Evaluation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590. Telephone: (202) 366-1574. (For information on OMB processing procedures for the proposed information collection, contact: Ed Kosek, NHTSA Information Collection Clearance Officer, NHTSA, 400 Seventh Street SW., Washington, DC 20590. Telephone (202) 366-2589).

SUPPLEMENTARY INFORMATION: In September 1992, the NHTSA amended FMVSS Number 108 (49 CFR 571.108), "Lamps, Reflective Devices, and Associated Equipment". This revision, effective December 1, 1993, requires that heavy truck trailers (i.e., those 80 or more inches in width with a Gross Vehicle Weight Rating over 10,000 pounds) manufactured after this date be equipped with retroreflective material (57 FR 58406). Two types of material are permitted—(1) retroreflective sheeting, or tape, and (2) reflex reflectors. The purpose of the material is to reduce traffic accidents, and resulting deaths and injuries, by increasing the visibility of heavy truck trailer combination vehicles and making them more conspicuous to other motorists. Nighttime collisions of other vehicles into the sides and rear of large tractor trailer trucks are the primary types of crashes targeted to be reduced by the retroreflective material.

Under Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735), NHTSA is required to conduct periodic evaluations to assess the effectiveness of the vehicle safety standards it has promulgated. These studies estimate the actual safety benefits achieved by the standards and provide a basis for assessing whether the standards are functioning as intended. Typically, the evaluation studies consist of the analyses of highway crash data which compare the

experience of vehicles equipped with a given standard with the experience of vehicles not equipped with the standard. In addition to all trailers manufactured since December 1993, which are required to have conspicuity marking, some companies have also equipped their older trailers with the material. Trailers equipped prior to December 1993 sometimes used colors and patterns which differ from those specified in the standard. A data collection effort is planned to provide crash information for the purpose of evaluating the safety effects of the conspicuity requirement under FMVSS No.108. NHTSA will analyze the data to estimate the safety benefits, in terms of crashes, injuries, and fatalities avoided that can be attributed to the requirement.

It is proposed that the data be collected by state law enforcement officers (i.e., state police) who investigate and report on highway motor vehicle crashes as part of their regularly assigned duties. For each crash involving a large truck trailer combination vehicle, the information to be provided will consist of a copy of the standard state accident report, which is regularly filed with applicable state authorities, plus a special accident report supplement designed to record data specific to the study of the effects of the retroreflective material on the trailers. The officers investigating the heavy truck crashes will complete the data items on the supplement for each such crash occurring within their jurisdiction. Data from both the report supplement and the corresponding state accident report are required in order to evaluate the safety effects of the conspicuity standard. Two states, Pennsylvania and Florida, are being proposed as the data collection sites. All state-reported crashes of tractor trailer combination vehicles which occur within the boundaries of the two states will be reported. A tractor trailer combination vehicle is defined as a truck tractor pulling one or two trailers—i.e., tractor with semi-trailer or tractor with double trailers.

The data to be provided to NHTSA will consist of two parts. Part 1 will be a copy of the official state motor vehicle accident report involving a heavy truck tractor combination vehicle that is filed with the applicable authorities in the states where the study is being conducted. Part 2 will consist of the special supplement to each state motor vehicle accident report for the designated truck crashes. A copy of the proposed supplement, "Investigator's Supplementary Truck-Tractor Trailer Accident Report," is shown in the

accompanying illustration. The instructions for completing the supplement are also shown. The supplement would be printed as a one-page form with the report form on one side and the instructions on the other side. In order to have sufficient data for a definitive statistical evaluation, it is proposed that the two states collect and provide the specified information for a two-year period. The accident reports would be collected at the state level and forwarded to NHTSA on a monthly basis.

NHTSA estimates that the reporting burden per heavy truck crash report will average 30 minutes. This includes the time to review the instructions, complete the accident report supplement, transmit the information (state report plus supplement), and to coordinate and oversee the collection at the state level. Based on recent crash statistics from the two selected states, it is estimated that approximately 2,000 reports of tractor trailer crashes per year will be reported by each state. The number of respondents (officers who file reports for the designated crashes) cannot be precisely determined, but based on the annual number of crashes and the size of the law enforcement agencies in the two states, the typical officer would complete one report per year. In actuality, some officers may complete no reports while others could complete several reports. This will be a function of where, throughout the state road systems, the crashes occur, and the specific officers who have investigation and reporting jurisdiction over those areas at the time the crashes occur. The total reporting burden for the proposed information collection project is therefore best estimated on the basis of the total estimated number of crashes expected to be reported. For the two study states over the two-year period, it is estimated that 8,000 crashes will be reported. Thus, the total reporting burden is estimated at 4,000 hours (8,000 crashes times 0.5 hours per crash).

NHTSA has consulted with the two selected states and has obtained their consent to support the agency in its evaluation study of retroreflective marking on heavy truck trailers. In compliance with the requirements of the Office of Management and Budget (5 CFR part 1320, "Reporting and Recordkeeping Requirements," effective August 29, 1995), NHTSA requests comments on the proposed collection of information. Comments will be used by the agency in:

a. Evaluating whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

b. Evaluating the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

c. Enhancing the quality, utility, and clarity of the information to be collected; and

d. Minimizing the burden of the collection of information on those who are to respond, including through the

use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Submission of Comments

Interested persons are invited to submit comments. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the above


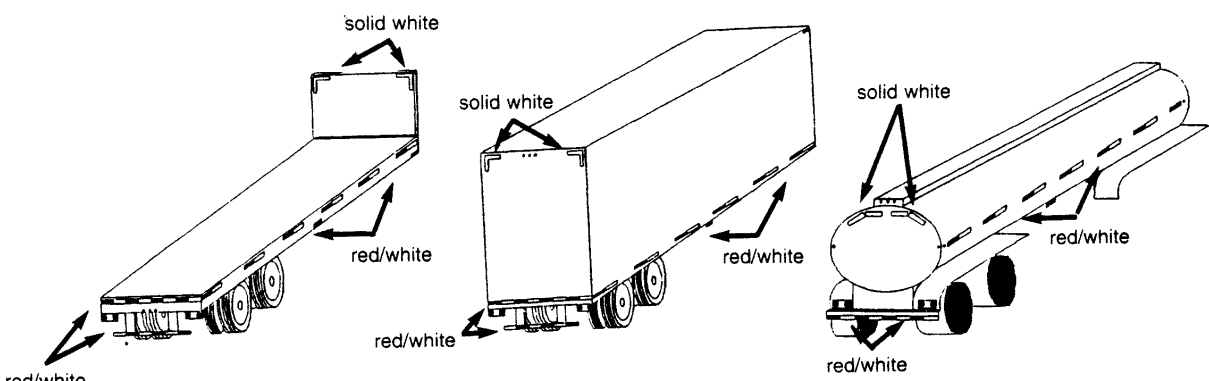
address both before and after that date. To the extent possible, comments filed after the closing date will also be considered.

Authority: 44 U. S. C. 3506 (c); delegation of authority at 49 CFR 1.50.

L. Robert Shelton,

Acting Associate Administrator for Plans and Policy.

BILLING CODE 4910-59-P

 U.S. Department of Transportation National Highway Traffic Safety Administration		Investigator's Supplementary Truck-Tractor Trailer Accident Report National Highway Traffic Safety Administration Special Study <i>(To be completed for all accidents involving a truck-tractor pulling one, or more, trailers)</i> <i>(See instructions on reverse side)</i>	
1	Date of Accident ____ / ____ / ____		Day of Accident <input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> T <input type="checkbox"/> F <input type="checkbox"/> Sat
	Time of Accident Military Time _____ hrs		ACCIDENT REPORT NUMBER <i>(from state accident report)</i>
	Address (Place where accident occurred)		
	County _____ City, Town or Township _____ Road on which accident occurred (Give name of street or highway no.) _____ Posted Speed Limit _____		
Light Condition: <input type="checkbox"/> Daylight <input type="checkbox"/> Dark <input type="checkbox"/> Dark, Lighted <input type="checkbox"/> Dawn <input type="checkbox"/> Dusk Weather Condition: <input type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Fog <input type="checkbox"/> Snow/Sleet			
TRAILER—UNIT 1			
3	Trailer Type: <input type="checkbox"/> Van <input type="checkbox"/> Tanker <input type="checkbox"/> Flatbed <input type="checkbox"/> Garbage <input type="checkbox"/> Auto Transporter <input type="checkbox"/> Other (Specify) _____		
	Trailer Vehicle Identification No. (VIN): _____		
	Retroreflective Tape: <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Tape Pattern: <input type="checkbox"/> Side/Rear, per FMVSS 108 or similar (See Figure below) <input type="checkbox"/> Other Pattern _____		
	Tape Color: <input type="checkbox"/> Red/White, per FMVSS 108 <input type="checkbox"/> Solid White <input type="checkbox"/> Solid Yellow <input type="checkbox"/> Solid Blue <input type="checkbox"/> Other (Specify) _____		
	TAPE CONDITION— Trailer Sides: <input type="checkbox"/> Clean <input type="checkbox"/> Some Dirt <input type="checkbox"/> Very Dirty <input type="checkbox"/> Tape peeling, missing segments Trailer Rear: <input type="checkbox"/> Clean <input type="checkbox"/> Some Dirt <input type="checkbox"/> Very Dirty <input type="checkbox"/> Tape peeling, missing segments		
TRAILER—UNIT 2			
4	Trailer Type: <input type="checkbox"/> Van <input type="checkbox"/> Tanker <input type="checkbox"/> Flatbed <input type="checkbox"/> Garbage <input type="checkbox"/> Auto Transporter <input type="checkbox"/> Other (Specify) _____		
	Trailer Vehicle Identification No. (VIN): _____		
	Retroreflective Tape: <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Tape Pattern: <input type="checkbox"/> Side/Rear, per FMVSS 108 or similar (See Figure below) <input type="checkbox"/> Other Pattern _____		
	Tape Color: <input type="checkbox"/> Red/White, per FMVSS 108 <input type="checkbox"/> Solid White <input type="checkbox"/> Solid Yellow <input type="checkbox"/> Solid Blue <input type="checkbox"/> Other (Specify) _____		
	TAPE CONDITION— Trailer Sides: <input type="checkbox"/> Clean <input type="checkbox"/> Some Dirt <input type="checkbox"/> Very Dirty <input type="checkbox"/> Tape peeling, missing segments Trailer Rear: <input type="checkbox"/> Clean <input type="checkbox"/> Some Dirt <input type="checkbox"/> Very Dirty <input type="checkbox"/> Tape peeling, missing segments		
 <p style="text-align: center; font-weight: bold;">Typical Trailer Conspicuity Treatments</p>			

Instructions for Completing Supplementary Report on Truck-Tractor Trailer Accidents
National Highway Traffic Safety Administration Special Study

When To Use Form

If the accident involved a truck-tractor pulling one or more trailers—i.e., tractor with semi-trailer, or tractor with double trailers. Both single vehicle and multi-vehicle accidents are to be reported. *NOTE:* The vehicle data to be reported concerns only **trailers**.

DATA ELEMENT INSTRUCTIONS

Accident Information

Block 1

Date of Accident: Enter month, day, and year.

Day of Accident: Enter day of week.

Time of Accident: Enter the time (*military*).

Place Where Accident Occurred: Enter county, city (*town or township*).

Road on Which Accident Occurred: Enter Street, or State Highway Number.

Posted Speed Limit: Enter speed limit in m.p.h.

Accident Report Number: enter Number of the state accident report.

Block 2

Light Condition: Check the appropriate light condition.

Weather Condition: Check the appropriate weather condition.

Vehicle (Trailer) Information

Complete the trailer information corresponding to the respective traffic UNIT—i.e., “1” or “2”—as recorded on the state report form.

NOTE: If a tractor was pulling more than 1 trailer, complete the information for each trailer, numbering the trailers “1”, “2”, with “1” being the lead trailer. If more than 2 trailers were involved in the accident, use additional **SUPPLEMENTARY REPORT** Forms, as needed, to record information on all trailers.

Block 3/Block 4

Trailer Type: Check the trailer type.

Trailer VIN: Enter the Vehicle Identification No. (VIN) of the trailer.

Retroreflective Tape: Check whether or not the trailer was equipped with retroreflective tape.

Tape Pattern: Check whether or not the tape pattern was similar to FMVSS requirement (*refer to illustration*).

Tape Color: Check whether or not the tape color was similar to FMVSS requirement (*refer to illustration*).

Tape Condition, Sides: Check the box which best describes the condition of the tape on the sides of the trailer.

Tape Condition, Rear: Check the box which best describes the condition of the tape on the rear of the trailer.

Comments