

If you would like more details about the information in this table, or wish to obtain the complete *Insurance Collision Report*, please contact HLDI directly, at: Highway Loss Data Institute, 1005 North Glebe Road, Arlington, VA 22201, Tel: (703) 247-1600.

(49 U.S.C. 32302; delegation of authority at 49 CFR 1.50(f).)

Issued on: March 3, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96-5721 Filed 3-6-96; 8:45 am]

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National Highway Traffic Safety Administration

Research and Development Programs Meeting Agenda

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: This notice provides the agenda for a public meeting at which the National Highway Traffic Safety Administration (NHTSA) will describe and discuss specific research and development projects.

DATES AND TIMES: As previously announced, NHTSA will hold a public meeting devoted primarily to presentations of specific research and development projects on March 11, 1997, beginning at 1:30 p.m. and ending at approximately 5:00 p.m.

ADDRESSES: The meeting will be held at the Hilton Suites, Detroit Metro Airport, 8600 Wickham Road, Romulus, Michigan 48174.

SUPPLEMENTARY INFORMATION: This notice provides the agenda for the sixteenth in a series of public meetings to provide detailed information about NHTSA's research and development programs. This meeting will be held on March 11, 1997. The meeting was announced on February 18, 1997 (62 FR 7293). For additional information about the meeting consult that announcement.

Starting at 1:30 p.m. and concluding by 5:00 p.m., NHTSA's Office of Research and Development will discuss the following topics:

- Status of air bag aggressiveness and advanced air bag research, including child restraint/air bag interaction (CRABI) dummy testing,
- Demonstration of CD ROM for child restraint/vehicle compatibility,
- Status and plans for the 1997 calendar year for the National Automotive Sampling System Crashworthiness Data Base (NASS CDS),

Special crash investigation studies of air bag cases, Status and plans for anti-lock brake systems research, and Status of research on restraint systems for rollover protection.

NHTSA has based its decisions about the agenda, in part, on the suggestions it received by February 21, 1997, in response to the announcement published February 18, 1997.

As announced on February 18, 1997, in the time remaining at the conclusion of the presentations, NHTSA will provide answers to questions on its research and development programs, where those questions have been submitted in writing by February 27, 1997, to Ralph J. Hitchcock, Acting Associate Administrator for Research and Development, NRD-01, National Highway Traffic Safety Administration, Washington, DC 20590. Fax number: 202-366-5930.

FOR FURTHER INFORMATION CONTACT: Rita I. Gibbons, Staff Assistant, Office of Research and Development, 400 Seventh Street, SW, Washington, DC 20590. Telephone: 202-366-4862. Fax number: 202-366-5930.

Issued: March 3, 1997.

Ralph J. Hitchcock,

Acting Associate Administrator for Research and Development.

[FR Doc. 97-5603 Filed 3-6-97; 8:45 am]

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National Highway Traffic Safety Administration

Docket No. 96-114; Notice 1

Notice of Tentative Decision That Certain Noncomplying Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on tentative decision that certain noncomplying vehicles are eligible for importation into the United States.

SUMMARY: This notice requests comments on a tentative decision by the National Highway Traffic Safety Administration (NHTSA) that certain vehicles that do not comply with all applicable Federal motor vehicle safety standards, but that are certified by their original manufacturer as complying with all applicable Canadian motor vehicle safety standards, are eligible for importation into the United States. The vehicles in question either (1) are substantially similar to vehicles that were certified by their manufacturers as complying with the U.S. safety standards and are capable of being

readily altered to conform to those standards, or (2) have safety features that comply with, or are capable of being altered to comply with all U.S. safety standards. This notice also requests comments on a proposal to rescind the existing vehicle eligibility number applicable to all vehicles certified by their original manufacturer as complying with Canadian safety standards (eligibility number VSA-1), and to assign four separate eligibility numbers, based on vehicle classification and weight.

DATE: The closing date for comments on this tentative decision is April 7, 1997.

ADDRESS: Comments should refer to the docket number and notice number and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. (Docket hours are from 9:30 am to 4 pm.)

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards (FMVSS) shall be refused admission into the United States unless NHTSA has decided, that the vehicle is substantially similar to a motor vehicle of the same model year that was originally manufactured for importation into and sale in the United States and was certified as complying with all applicable FMVSS, and also finds that the noncompliant vehicle is capable of being readily altered to conform to all applicable FMVSS. Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if NHTSA decides that its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS.

A. First Decision on Canadian Vehicles

On August 13, 1990, NHTSA published a Federal Register notice at 55 FR 32988 announcing that it had made a final determination on its own initiative that certain motor vehicles that are certified by their original manufacturer as complying with all applicable Canadian motor vehicle safety standards (CMVSS) are eligible for importation into the United States. The agency made this determination under the precursor to 49 U.S.C.

30141(a)(1)(A), on the basis that the Canadian-certified vehicles involved are substantially similar to U.S.-certified vehicles, and are capable of being readily modified to conform to all applicable FMVSS. As identified in the notice, the Canadian-certified vehicles determined to be eligible for importation include:

all passenger cars manufactured on or after September 1, 1989 which are equipped by their original manufacturer with an automatic restraint system that complies with Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*.

The notice explained that NHTSA had examined the CMVSS and found that, in most essential respects, they are identical to the FMVSS, and that the most significant difference between the two sets of standards concerned occupant protection requirements. NHTSA noted that CMVSS No. 208, *Occupant Restraint Systems*, does not require a passenger car to be equipped with automatic restraints, in contrast to FMVSS No. 208, *Occupant Crash Protection*, which requires automatic restraints in front designated seating positions for all passenger cars manufactured on and after September 1, 1989. Owing to this difference, and the agency's uncertainty that Canadian-certified vehicles could be retrofitted with automatic restraint systems, NHTSA limited its eligibility determination to passenger cars manufactured before September 1, 1989, or those manufactured on or after that date that are equipped by their original manufacturer with an automatic restraint system that complies with FMVSS No. 208.

B. Second Decision on Canadian Vehicles

1. Passenger Cars

On October 8, 1991, NHTSA published a Federal Register notice at 56 FR 50749 announcing that it had made a final determination on its own initiative that certain other motor vehicles certified by their original manufacturer as complying with all applicable CMVSS are eligible for importation into the United States. This determination was made under the precursor to 49 U.S.C. 30141(a)(1)(B), on the basis that there was no U.S.-certified vehicle substantially similar to the Canadian-certified vehicles involved, but that those Canadian-certified have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence deemed adequate by NHTSA.

As identified in that notice, the Canadian-certified vehicles determined to be eligible for importation include:

all passenger cars manufactured on or after September 1, 1989, and before September 1, 1996, which are equipped with an automatic restraint system that complies with FMVSS No. 208, *Occupant Crash Protection*.

The notice observed that the CMVSS did not contain dynamic side impact requirements (found in FMVSS No. 214, *Side Impact Protection*) that would become effective for all passenger cars on September 1, 1996. Owing to this difference, passenger cars manufactured on or after that date were not included in the agency's import eligibility determination. Because this determination effectively restricts the importation of Canadian-certified passenger cars manufactured on or after September 1, 1996 that are not the subject of import eligibility petitions granted by NHTSA under 49 CFR 593.7(f), the agency recognizes the need for a new eligibility decision on the Administrator's initiative, covering such vehicles that are manufactured to comply with FMVSS Nos. 208 and 214.

2. Vehicles Other Than Passenger Cars

On October 8, 1991, NHTSA also determined the following Canadian-certified vehicles to be eligible for importation under the precursor to 49 U.S.C. 30141(a)(1)(B):

All multipurpose passenger vehicles, trucks, and buses manufactured on and after September 1, 1991, by their original manufacturer to comply with the requirements of FMVSS Nos. 202 and 208 to which they would have been subject had they been manufactured for sale in the United States.

56 FR 50750. As the notice explained, September 1, 1991 was selected as the cutoff date in response to a comment from the Ford Motor Company (Ford), which observed that there would be significant changes to FMVSS No. 208 and to FMVSS No. 202, *Head Restraints*, affecting vehicles other than passenger cars beginning with the 1992 model year, and that these changes would not be reflected in the corresponding CMVSS. As described in the notice, these changes would require multipurpose passenger vehicles (MPVs) and trucks with a gross vehicle weight rating (GVWR) of 8,500 pounds or less having an unloaded vehicle weight of 5,500 pounds or less to comply with FMVSS No. 208's frontal crash test requirements using, in Ford's words, either "active belts or passive restraints." The notice additionally stated that for 1992 and subsequent model years, "MPVs (except for motor

homes), trucks and buses (except school buses) with a GVWR of 10,000 pounds or less, must be equipped with rear seat lap/shoulder belts at the outboard seating positions." 56 FR 50749. Finally, the notice observed that "MPVs, trucks, and buses with a GVWR of 10,000 pounds or less must comply with head restraint requirements" of FMVSS No. 202 that were not added to the Canadian standards. *Ibid*.

C. Amendment to Prior Determination on Vehicles Other Than Passenger Cars

NHTSA stated in the October 8, 1991 final determination notice that Ford's comments would also require the agency to amend a determination that it had published on August 13, 1990 at 55 FR 32988 concerning Canadian trucks, buses, and MPVs that it found eligible for importation under the precursor to 49 U.S.C. 30141(a)(1)(A). 56 FR 50750. A notice announcing that amendment was published on October 26, 1992 at 57 FR 48539. The vehicles identified in that notice as being eligible for importation included the following:

All multipurpose passenger vehicles, trucks, and buses manufactured on and after September 1, 1991, and before September 1, 1993, by their original manufacturer to comply with the requirements of U.S. FMVSS Nos. 202 and 208 to which they would have been subject had they been manufactured for sale in the United States; and

All multipurpose passenger vehicles, trucks and buses manufactured on or after September 1, 1993, by their original manufacturer to comply with the requirements of U.S. FMVSS Nos. 202, 208, and 216 to which they would have been subject had they been manufactured for sale in the United States.

57 FR 48539. The notice stated that September 1, 1993 was selected as a cutoff date in light of "significant changes" that had been made to FMVSS No. 216 *Roof Crush Resistance* affecting vehicles other than passenger cars beginning with the 1994 model year, and that corresponding changes had not been made to the CMVSS. *Ibid*. As described in the notice, those changes would require multipurpose passenger vehicles, trucks, and buses whose GVWR is less than 6,000 pounds manufactured on and after September 1, 1993 to comply with the standard's roof crush resistance requirements.

D. Amendments Omitted From Annual Lists

Under 49 U.S.C. 30141(b)(2), NHTSA is required to publish annually in the Federal Register a list of all vehicles for which import eligibility decisions have been made. Through an oversight, the amendments to NHTSA's

determinations concerning Canadian trucks, buses, and MPVs that were announced in the October 26, 1992 notice were not reflected in the annual lists that the agency published on February 23, 1994 (at 59 FR 8671), February 13, 1995 (at 60 FR 8268), and March 1, 1996 (at 61 FR 8097). Those amendments were also not reflected in the final rule published by NHTSA on October 1, 1996 at 61 FR 51242, which amended the agency's regulations establishing procedures for import eligibility decisions at 49 CFR Part 593 by adding an appendix listing all vehicles that have been decided to be eligible for importation. Because these publications of the list of eligible vehicles merely identified vehicles that had been determined eligible for importation, but did not make any such determinations or amend those previously made, they do not affect the validity of the omitted October 26, 1992 amendments to NHTSA's import eligibility determinations concerning Canadian trucks, buses, and MPVs.

E. Need for New Import Eligibility Decision on Vehicles Other Than Passenger Cars

In addition to the regulatory changes that led NHTSA to amend its prior import eligibility determination for Canadian trucks, buses, and MPVs on October 26, 1992, another anticipated change has raised the need for the agency to make a new decision regarding the import eligibility of these vehicles. Dynamic side impact requirements that are not found in the corresponding CMVSS have recently been added to FMVSS No. 214, *Side Impact Protection*, and will become effective on September 1, 1998 for certain MPVs, trucks, and buses with a GVWR of 6,000 pounds or less. These requirements will apply to all such vehicles, except for walk-in vans, motor homes, tow trucks, dump trucks, ambulances and other emergency rescue/medical vehicles (including

vehicles with fire-fighting equipment), vehicles equipped with wheelchair lifts, and vehicles which have no doors or exclusively have doors that are designed to be easily attached or removed so the vehicle can be operated without doors. To accommodate this regulatory change, NHTSA has tentatively decided to limit its previous import eligibility decision covering Canadian MPVs, trucks, and buses to those manufactured before September 1, 1998, and to make a new decision that those manufactured on or after that date must comply with FMVSS Nos. 202, 208, 214, and 216 to be eligible for importation.

F. Need to Limit Currently Open-Ended Import Eligibility Decisions

To avoid the need for additional amendments of prior eligibility decisions in the event that there are any further requirements imposed under the FMVSS that are not carried into the corresponding CMVSS, NHTSA has tentatively decided to limit all currently open-ended import eligibility decisions for Canadian-certified passenger cars, MPVs, trucks, and buses to such vehicles manufactured before September 1, 2002. That is the date on which revised interior impact protection requirements that are to be phased in under FMVSS No. 201, *Occupant Protection in Interior Impact*, and that are not found in the corresponding CMVSS, will become effective for all passenger cars and for MPVs, trucks, and buses with a GVWR of 10,000 pounds or less. The agency intends to issue new decisions covering vehicles manufactured on or after September 1, 2002 within a sufficient period before that date is reached.

Tentative Decision

Pending its review of any comments submitted in response to this notice, NHTSA hereby tentatively decides that:

(a) All passenger cars manufactured on or after September 1, 1996 and before September 1, 2002, that, as originally manufactured, are equipped with an

automatic restraint system that complies with Federal Motor Vehicle Safety Standard (FMVSS) No. 208, and that comply with FMVSS No. 214;

(b) All multipurpose passenger vehicles, trucks and buses manufactured on or after September 1, 1993, and before September 1, 1998, that, as originally manufactured, comply with FMVSS Nos. 202, 208, and 216; and

(c) All multipurpose passenger vehicles, trucks and buses manufactured on or after September 1, 1998, and before September 1, 2002, that, as originally manufactured, comply with FMVSS Nos. 202, 208, 214, and 216; that are certified by their original manufacturer as complying with all applicable Canadian motor vehicle safety standards, are eligible for importation into the United States on the basis that either:

1. They are substantially similar to vehicles of the same make, model, and model year originally manufactured for importation into and sale in the United States, or originally manufactured in the United States for sale there, and certified as complying with all applicable FMVSS, and are capable of being readily altered to conform to all applicable FMVSS, or

2. They have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

Vehicle Eligibility Number

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. If this tentative decision is made final, NHTSA proposes to rescind Vehicle Eligibility Number VSA-1, which currently applies to all eligible vehicles certified by their original manufacturer as complying with all applicable CMVSS, and assign the following eligibility numbers to those vehicles:

VEHICLES CERTIFIED BY THEIR ORIGINAL MANUFACTURER AS COMPLYING WITH ALL APPLICABLE CANADIAN MOTOR VEHICLE SAFETY STANDARDS

Number	Vehicles
VSA-80	All passenger cars less than 25 years old that were manufactured before September 1, 1989; All passenger cars manufactured on or after September 1, 1989, and before September 1, 1996, that, as originally manufactured, are equipped with an automatic restraint system that complies with Federal Motor Vehicle Safety Standard (FMVSS) No. 208; All passenger cars manufactured on or after September 1, 1996 and before September 1, 2002, that, as originally manufactured, are equipped with an automatic restraint system that complies with FMVSS Nos. 208, and that comply with FMVSS No. 214.
VSA-81	All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4536 kg. (10,000 lbs.) or less that are less than 25 years old and that were manufactured before September 1, 1991; All multipurpose passenger vehicles, trucks, and buses with a GVWR of 4536 kg. (10,000 lbs.) or less that were manufactured on and after September 1, 1991, and before September 1, 1993, and that, as originally manufactured, comply with FMVSS Nos. 202 and 208;

VEHICLES CERTIFIED BY THEIR ORIGINAL MANUFACTURER AS COMPLYING WITH ALL APPLICABLE CANADIAN MOTOR
VEHICLE SAFETY STANDARDS—Continued

Number	Vehicles
	All multipurpose passenger vehicles, trucks and buses with a GVWR of 4536 kg. (10,000 lbs.) or less that were manufactured on or after September 1, 1993, and before September 1, 1998, and that, as originally manufactured, comply with FMVSS Nos. 202, 208, and 216;
	All multipurpose passenger vehicles, trucks and buses with a GVWR of 4536 kg. (10,000 lbs.) or less, that were manufactured on or after September 1, 1998, and before September 1, 2002, and that, as originally manufactured, comply with the requirements of FMVSS Nos. 202, 208, 214, and 216.
VSA-82	All multipurpose passenger vehicles, trucks and buses with a GVWR greater than 4536 kg. (10,000 lbs.) that are less than 25 years old.
VSA-83	All trailers, and all motorcycles that are less than 25 years old.

Readers should note that in the preparation of this list, some changes were made from the language used in some prior import eligibility decisions. For example, prior eligibility decisions generally identify multipurpose passenger vehicles, trucks, and buses that are eligible for importation as those "certified by their original manufacturer to comply with [specified standards] to which they would have been subject had they been manufactured for sale in the United States." For the sake of clarity, the above list identifies eligible vehicles as those "that, as originally manufactured, comply with" specified standards. Although this language replaces text that was previously used only in decisions pertaining to multipurpose passenger vehicles, trucks, and buses, it is also being used in the list to describe passenger cars that must comply with specified standards to be eligible for importation. This is being done to achieve consistency in the description of vehicles eligible for importation, and to better reflect the agency's intent when it made the pertinent eligibility decisions.

Readers should also note that NHTSA is proposing to assign different vehicle eligibility numbers to multipurpose passenger vehicles, trucks, and buses, based on whether their gross vehicle weight rating (GVWR) is greater than, or at or below, 4536 kg. (10,000 lbs.). This proposal reflects the agency's awareness that there are differences between Canadian and U.S. standards that apply to multipurpose passenger vehicles, trucks, and buses with a GVWR at or below 4536 kg., but that these differences do not exist for vehicles of the same class that are above that weight rating.

Because of these proposed modifications to the text of its prior import eligibility decisions, NHTSA believes there is a need to replace the existing vehicle eligibility number, VSA-1, that is now applied to all eligible vehicles certified by their original manufacturer as complying

with all applicable CMVSS. The agency proposes to replace this single eligibility number with four separate numbers, based on vehicle classification, and, in the case of multipurpose passenger vehicles, trucks and buses, by weight. This will allow for easier modification in the event that there are any future changes in the standards that affect only certain classes of vehicles.

Comments

Section 30141(b) of Title 49, U.S. Code requires NHTSA to provide a minimum period for public notice and comment on decisions made on its own initiative consistent with ensuring expeditious, but full consideration and avoiding delay by any person. NHTSA believes that a minimum comment period of 30 days is appropriate for this purpose. Interested persons are invited to submit comments on the tentative decisions described above. It is requested, but not required, that five copies be submitted.

All comments received before the close of business on the closing date indicated above 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. Notice of NHTSA's final decision will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.8; delegation of authority at 49 CFR 1.50.

Issued on: March 4, 1997.

Ricardo Martinez,

Administrator.

[FR Doc. 97-5726 Filed 3-6-97; 8:45 am]

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[Docket No. 97-014; Notice 1]

Accuride Corporation; Receipt of Application for Decision of Inconsequential Noncompliance

Accuride Corporation (Accuride) has determined that certain one-piece, tubeless aluminum dual wheels fail to conform to the requirements of 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Accuride has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301 "Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 CFR Part 556 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

FMVSS No. 120, Paragraph 5.2, *Rim Marking*, states that "On or after August 1, 1977, each rim or, at the option of the manufacturer in the case of a singlepiece wheel, wheel disc shall be marked with the information listed in paragraphs (a) through (e) of this paragraph, in lettering not less than 3 millimeters high, impressed to a depth or, at the option of the manufacturer, embossed to a height of not less than 0.125 millimeters. The information listed in paragraphs (a) through (c) of this paragraph shall appear on the weather side. In the case of rims of multipiece construction, the information listed in paragraphs (a) through (e) of this paragraph shall appear on the rim base and the information listed in paragraphs (b) and (d) of this paragraph shall also appear on each other part of the rim."

Accuride's description of the noncompliance follows: