

On November 22, 2002, the National Association of Trailer Manufacturers (NATM) filed a "Petition for Postponement of Compliance Date for Certain Trailers." NATM sought delayed compliance dates for reporting of information. Shortly thereafter, on December 5, 2002, the National Truck Equipment Association (NTEA) and the Recreational Vehicle Industry Association (RVIA) jointly petitioned NHTSA to "extend for a period of six months" the periods for and the dates that manufacturers of motorhomes, multi-stage vehicles, alterers, and trailers and trailer equipment would report, or, alternatively, "all affected manufacturers that meet the Small Business Administration's definition of 'small entities' as stated in 13 CFR Sec. 121.201." This petition asked that the first quarterly reporting period begin October 1, 2003, with the first report due not later than February 29, 2004, and that the one-time historical report be due on March 31, 2004.

Finally, on March 18, 2003, the Rubber Manufacturers Association (RMA) submitted a petition to postpone the periods for which reporting is required until after NHTSA has responded to RMA's timely petition for reconsideration of various provisions of the final rule. We are responding to RMA's petition for reconsideration in Notice 5.

We have decided to extend the reporting dates, for the reasons discussed below, which we regard as a partial grant of these petitions.

III. Revisions to the Dates in the EWR Regulation

In the final rule, we addressed how NHTSA plans to handle and utilize information submitted under the rule. See 67 FR at 45865. We noted that 49 U.S.C. 30166(m)(4)(A)(i) and (ii) require that our early warning rule specify how the information reported to us will be used. Among other things, we stated that data submitted by manufacturers would be entered into a new computer system and data warehouse called ARTEMIS—Advanced Retrieval (Tire, Equipment, Motor vehicles) Information System. ARTEMIS is being developed for NHTSA's Office of Defects Investigation (ODI) under an agreement with the Volpe National Transportation Systems Center (Volpe) in Cambridge, Massachusetts. ARTEMIS will provide for centralized storage of information, include a document management system, use data analysis tools, and facilitate the provision of appropriate information to the public.

There are three basic types of EWR data that will be reported quarterly

(with slight variations depending on the type of manufacturer): (1) Information about incidents involving deaths and injuries in claims and notices received by a manufacturer; (2) statistical data about the number of items produced, property damage claims, consumer complaints, warranty claims, and field reports; and (3) copies of non-dealer field reports.

Numerous interpretation questions have been submitted by manufacturers and their associations. The agency has been responding to these questions. In addition, our April 15, 2003, notice (Notice 4) responding to some issues raised in petitions for reconsideration made changes to some requirements, and other changes are being made in the response to other issues raised by these petitions (Notice 5). To ensure that we have consistent data and that manufacturers have time to incorporate all needed changes into their data collection systems, in response to these regulatory changes and in light of NHTSA's interpretations, we are extending the reporting period one quarter. We are correspondingly extending the date these reports are due, to Monday, December 1, 2003. (To make it more convenient for manufacturers to submit their data and to protect against a possible system overload that could occur if every manufacturer tried to submit its data on the afternoon of December 1, we plan to work with the larger manufacturers to develop a schedule under which their data will be submitted over several days at the end of November and/or early December.)

We are extending the requirement for the submission of copies of non-dealer field reports, which must be submitted to ODI pursuant to subsection (d) of Sections 579.21–579.25, for a longer period. Manufacturers use a myriad of data retention and transmission tools and procedures to generate, describe, store, and submit these field reports. In view of the different approaches, various issues must be addressed before manufacturers transmit these field reports electronically to assure that ODI will be able to receive, store, access, and effectively utilize these reports. To capture the unique attributes of each specific field report and to make the field report data retrievable in an effective manner, ODI has decided to create a file naming convention that will allow the field reports to be stored in a relational and accessible manner. Although we have advised the industry that we plan to create such a convention, we have not yet notified manufacturers of its specific terms. We anticipate that we will be able to do so

before the end of the second quarter of 2003.

Because each non-dealer field report will have to be individually reviewed and coded by the manufacturers, to allow manufacturers time to become familiar with the file naming convention, we are deferring the initial reporting period for the submission of copies of non-dealer field reports for two calendar quarters beyond the calendar quarter for which numerical reports will be required, *i.e.*, until the first quarter of 2004.

In addition, since transmission of electronic copies of field reports will utilize a great deal of bandwidth, which could delay or interfere with the transmission of other EWR data, we have decided that the submission date for these documents should be different from the date that other EWR information is due. Thus, we are amending the regulation to provide that copies of these reports will be due 30 days after the other quarterly EWR data are due. This amendment will reduce the burden on the manufacturers' computer facilities and on ARTEMIS.

With regard to one-time historic reporting, we understand that the September 30, 2003 due date is presenting a challenge to some manufacturers, notwithstanding the use of temporary staff. In its petition for reconsideration, GM represented that many of the documents it maintains exist in uncoded systems, requiring manual retrieval, review, and coding into the specified system/component categories, concluding that "GM estimates that it will take multiple labor years—just to compile the historical report." We note that NTEA/RVIA asked for a six-month delay in this requirement as well. An extension beyond September 30 will ease the burden on manufacturers and will also provide ODI with additional time to complete its review of the initial quarterly submissions. The period covered by the one-time historical report is also adjusted by one quarter (*e.g.*, for motor vehicles, the period for which data must be reported begins on July 1, 2000 (rather than April 1, 2000), and ends on June 30, 2003 (rather than March 31, 2003). Therefore, the due date for one-time historical reports submitted pursuant to Section 579.28(c), as amended, will be December 31, 2003.

IV. Privacy Act Statement

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association,