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I. Introduction

a. Overview of This Final Rule

This final rule responds to petitions for reconsideration of a final rule (64 FR 10786; Docket No. 98-3390) that was published on March 5, 1999 and that established a Federal Motor Vehicle Safety Standard (FMVSS) for child restraint anchorage systems (FMVSS No. 225, 49 CFR § 571.225). This is the third and final document responding to the petitions. The first two responses to petitions for reconsideration were published August 31, 1999 (64 FR 47566; Docket No. 99-6160), and July 31, 2000 (65 FR 46628; Docket No. 7648). A detailed summary of the petitions and the agency's responses thereto can be found in the "overview" section of the July 2000 final rule (65 FR at 46629).

This final rule resolves the issue of the appropriateness of the 15,000 N strength requirement for tether anchorages (S6.3 and S8.1 of FMVSS No. 225) and the 11,000 N strength requirement for the lower anchorages (S9.4.1(a)). Those strength requirements are unchanged from the March 1999 final rule. However, this final rule provides vehicle manufacturers an additional year of lead-time for the few vehicle models that might have to be redesigned to meet the requirements.

In this document, we are replacing the displacement limit of 125 millimeters (mm) of the 1999 final rule with different performance criteria for the performance of the tether anchorage, and slightly increasing the displacement limit for tests of the lower anchorages. In response to petitions for reconsideration of the length of time specified in the rule for the application of the required loads to the lower anchorages, we are reducing the time from 10 seconds to 1 second. We also address other issues concerning the installation and testing of anchorage systems, such as the configuration, location and marking of the lower bars, and the location of tether anchorages in sport utility vehicles (SUVs).

Finally, we deny a petition for reconsideration from Cosco, Inc., to exclude backless child restraint systems from the requirement in Standard No. 213 that the restraint systems have components that attach to a vehicle's child restraint anchorage system.

b. Background

1. March 1999 Final Rule

On March 5, 1999, NHTSA published a final rule establishing Federal Motor Vehicle Safety Standard No. 225, *Child Restraint Anchorage Systems* (64 FR

10786, docket 98-3390, notice 2). The rule required vehicle manufacturers to equip vehicles with new child restraint anchorage systems that are standardized and independent of the vehicle seat belts.

Each new system has two lower anchorages and one tether anchorage. Each lower anchorage includes a rigid round rod or bar onto which the connector of a child restraint system can be attached. The bars are located at the intersection of the vehicle seat cushion and seat back. The upper anchorage is a fixture to which the top tether strap of a child restraint system is to be hooked. (For convenience, this document refers to the child restraint anchorage system as the "LATCH" system. LATCH, an acronym for "Lower Anchors and Tethers for Children," was a term developed by manufacturers and retailers in educating the public on the availability and use of the new system.) Standard No. 225 required vehicle manufacturers to begin phasing-in the tether anchorage of the LATCH system in the production year beginning September 1, 1999, with full implementation beginning September 1, 2000. Manufacturers were required to begin phasing-in the lower anchorages in the production year beginning on September 1, 2000, with full implementation beginning September 1, 2002.¹

A number of manufacturers submitted petitions for reconsideration of various aspects of the new standard, including the strength requirements for the anchorage system and the test procedures to be used by NHTSA to test for compliance with the requirements.² Some of the vehicle manufacturers believed that there was no safety need for requirements as stringent as those

¹ The March 1999 final rule specified that, beginning September 1, 1999, 80 percent of a manufacturer's passenger cars were required to be equipped with tether anchorages, while all vehicles covered by the standard (including light trucks, vans, and multipurpose passenger vehicles with gross vehicle weight rating (GVWR) of 8,500 or less and buses with a GVWR of 10,000 pounds or less) are required to comply with the requirements by September 1, 2000. The final rule specified a 3-year phase-in period for the lower vehicle anchorages, which required 20 percent of each manufacturer's fleet to be equipped with compliant lower anchorages beginning September 1, 2000, 50 percent beginning September 1, 2001, and 100 percent beginning September 1, 2002.

² We received petitions from the Alliance of Automobile Manufacturers ("Alliance") (whose members were BMW, DaimlerChrysler, Ford, General Motors, Mazda, Nissan, Toyota, Volkswagen, Volvo, Fiat and Isuzu), and from individual petitioners Honda, Volkswagen, Porsche, DaimlerChrysler, General Motors, Mitsubishi, the National Truck Equipment Association, Kolcraft, E-Z-On Products, Cosco, Toyota, Ford, the Coalition of Small Volume Automobile Manufacturers, and Indiana Mills and Manufacturing.