

businesses. Even if there are motor vehicle manufacturers that qualify as small entities, this rule will not have a significant economic impact on them because it generally does not change the manufacturers' responsibilities to install tether anchorages and LATCH systems on the compliance dates of the March 1999 and July 2000 final rules. Accordingly, the agency has not prepared a regulatory flexibility analysis.

c. Executive Order 13132 (Federalism)

This rulemaking action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132. This rule will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. Accordingly, NHTSA has determined that this final rule does not contain provisions that have federalism implications or that preempt State law.

d. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4) requires agencies to prepare a written assessment of the costs, benefits and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually. This rule does not impose any unfunded mandates as defined by that Act.

e. National Technology Transfer and Advancement Act

Under the National Technology Transfer and Advancement Act of 1995 (NTTAA) (Pub. L. 104-113),

all Federal agencies and departments shall use technical standards that are developed or adopted by voluntary consensus standards bodies, using such technical standards as a means to carry out policy objectives or activities determined by the agencies and departments.

In developing Standard No. 225, we searched for standards developed or adopted by voluntary consensus standards bodies and found that the only standard for a child restraint anchorage system was a draft standard developed by the International Organization for Standardization (ISO). ISO is a worldwide voluntary federation of ISO member bodies. In responding to petitioners for reconsideration, we considered the draft ISO standard to guide our decision-making to the extent

consistent with the Safety Act. The notable differences between the draft ISO standard and Standard No. 225 are discussed in the March 1999 final rule (64 FR 10801-10802) and the August 1999 final rule (footnote 10, 64 FR 47570). Regarding today's final rule, the most significant of these are the magnitude of the force that is applied to the lower anchorages (8,000 N instead of 11,000 N); the rate that the force is applied to the lower anchorages in a compliance test (the draft ISO standard specifies that the force is fully applied within a time period of two seconds or less, while under our test procedure NHTSA specifies the rate and the time period for full application of the force may be up to 30 seconds); and the period of time that the force is held (the draft ISO standard specifies that the 8,000 N force is held for a period of 0.25 seconds, while we specify that the 11,000 N force is held for 1 second). NHTSA has determined that the 11,000 N force and the manner and period of time it is applied, are needed to represent a test condition that is sufficiently demanding to ensure that the anchorages will not fail even under the most severe crash conditions. We also considered the regulations developed by Transport Canada in making decisions about the standard's strength requirements.

f. National Environmental Policy Act

NHTSA has analyzed this rulemaking action for the purposes of the National Environmental Policy Act. The agency has determined that implementation of this action will not have any significant impact on the quality of the human environment.

g. Executive Order 12778 (Civil Justice Reform)

This rule does not have any retroactive effect. Under section 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a state may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

h. Paperwork Reduction Act

NHTSA has determined that phasing-in the strength requirements of this rule will impose new collection of information burdens within the meaning of the Paperwork Reduction Act of 1995 (PRA). Under the PRA, the agency must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each collection of information. The Office of Management and Budget (OMB) has promulgated regulations describing what must be included in such a document. Under OMB's regulations (5 CFR 320.8(d)), agencies must ask for public comment on the following:

(1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) 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;

(3) how to enhance the quality, utility, and clarity of the information to be collected; and,

(4) how to minimize the burden of the collection of information on those who are to respond, including 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.

In compliance with these requirements, NHTSA is publishing a document in today's **Federal Register** seeking public comment on the collection of information relating to the one-year phase-in of the strength requirement (Docket No. 02-14038).

i. Viewing Docket Submissions

You may read the comments received by Docket Management at Room PL-401, 400 Seventh Street, SW., Washington, DC 20590 (telephone 202-366-9324). You may visit the Docket from 10 a.m. to 5 p.m., Monday through Friday.

You may also see the comments on the Internet. To read the comments on the Internet, take the following steps:

(1) Go to the Docket Management System (DMS) Web page of the Department of Transportation (<http://dms.dot.gov/>).

(2) On that page, click on "search."

(3) On the next page (<http://dms.dot.gov/search/>), type in the four-digit docket number shown at the beginning of this document. Example: If