

noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: July 28, 2003.

William Rice,

Acting Regional Administrator, Region 7.

[FR Doc. 03-20037 Filed 8-5-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-03-15732]

RIN 2127-AI98

Federal Motor Vehicle Safety Standards; Occupant Crash Protection

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: In this document, NHTSA proposes to amend Federal Motor Vehicle Safety Standard No. 208, *Occupant crash protection* (FMVSS No. 208), to establish the same maximum test speed and phase-in schedule for the belted barrier test using the 5th percentile adult female test dummy as is required for belted tests using the 50th percentile adult male test dummy commencing September 1, 2007. The effect of this proposal would be to increase the maximum belted frontal barrier crash test speed for the smaller dummy from 48 km/h (30 mph) to 56 km/h (35 mph). Preliminary testing has

shown that at the higher test speed, a belted 5th percentile adult female dummy seated in accordance with FMVSS No. 208 seating procedures may record higher injury measurements than a 50th percentile adult male dummy tested in the same vehicle. Improving performance beyond the 48 km/h (30 mph) test speed for the 5th percentile adult female would require that air bag and seat belt designs be optimized to protect occupants in high speed crashes without increasing the aggressiveness of those systems to a level where they are likely to induce injuries for out-of-position occupants.

DATES: You should submit comments early enough to ensure that Docket Management receives them not later than October 6, 2003.

ADDRESSES: You may submit comments (identified by DOT DMS Docket Number 03-15732) by any of the following methods:

- Web site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- Hand Delivery : Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Requests for Comments heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading under Regulatory Analyses and Notices.

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may contact Lori Summers, Office of Crashworthiness Standards, Light Duty Vehicle Division by phone at (202) 366-1740, and by fax at (202) 493-2739.

For legal issues, you may contact Christopher Calamita of the NHTSA Office of Chief Counsel by phone at (202) 366-2992 and by fax at (202) 366-3820.

You may send mail to both of these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

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I. Background

FMVSS No. 208 requires passenger vehicles to be equipped with safety belts and frontal air bags to prevent or mitigate the effects of occupant interaction with the vehicle interior in a crash. While air bags have been very effective in increasing the number of people saved in moderate and high speed frontal crashes, they have occasionally been implicated in fatalities in instances where vehicle occupants were very close to the air bag when it deployed. On May 12, 2000, NHTSA published a final rule to require that future air bags be designed to create less risk of serious air bag-induced injuries than current air bags and provide improved frontal crash protection for all occupants, by means that include advanced air bag technology ("Advanced Air Bag Rule", 65 FR 30680).

The Advanced Air Bag Rule established two phase-in schedules. In the first phase-in, NHTSA will require vehicle manufacturers to install air bag systems that reduce the risk of air bag-induced injury (particularly to young children and small adult drivers), while improving the frontal crash protection provided by current air bag systems to occupants of different sizes. In the second phase-in, the agency will require manufacturers to further improve upon the existing air bag systems by implementing a belted rigid barrier crash test at impact speeds up to and including 56 km/h (35 mph), rather than 48 km/h (30 mph) as has been required for many years. The Advanced Air Bag