

along with manufacturers that do qualify as a small business, are already required to comply with the 48 km/h (30 mph) maximum crash test speed requirements using 5th percentile adult female dummies under the Advanced Air Bag Rule of FMVSS No. 208. Measures to provide protection up to 48 km/h (30 mph) are already being implemented, and 12 of 18 vehicles tested currently comply with the proposed amendment (more than five model years prior to the first proposed phase-in). Improving performance to further meet the proposed 56 km/h (35 mph) requirement could be achieved through simple changes in safety belt design or changes in air bag inflation characteristics with low-cost algorithm changes. Furthermore, small volume manufacturers would be given the option of waiting until the end of the phase-in to meet the new requirements.

Most of the intermediate and final stage manufacturers of vehicles built in two or more stages and alterers have 1,000 or fewer employees. But again, these companies already are required to comply with the 48 km/h (30 mph) belted 5th percentile adult female dummy requirement. These companies could either rely on the original equipment manufacturer's certification, or employ similar low cost measures as the large manufacturers. Accordingly, there would be no significant impact on small businesses, small organizations, or small governmental units by these amendments. For these reasons the agency has not prepared a preliminary regulatory flexibility analysis.

#### C. Executive Order No. 13132

NHTSA has analyzed this proposed rule in accordance with the principles and criteria set forth in Executive Order 13132, Federalism and has determined that this proposal does not have sufficient Federal implications to warrant consultation with State and local officials or the preparation of a Federalism summary impact statement. The proposal would not have any substantial impact on the States, or on the current Federal-State relationship, or on the current distribution of power and responsibilities among the various local officials.

#### D. National Environmental Policy Act

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

#### E. Paperwork Reduction Act

Under the new procedures established by the Paperwork Reduction Act of 1995, a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. For the phase-in reporting requirements, NHTSA is submitting to OMB a request for approval of the following collection of information. Public comment is sought on the proposed collection.

*Agency:* National Highway Traffic Safety Administration (NHTSA).

*Title:* Part 585—Advanced Air Bag Phase-In Reporting Requirements.

*Type of Request:* Updated collection.

*OMB Clearance Number:* 2127–0599.

*Form Number:* This collection of information will not use any standard forms.

*Requested Expiration Date of Approval:* Three years from the date of approval.

#### Summary of the Collection of Information

So that NHTSA could ensure that vehicle manufacturers are certifying their applicable vehicles as meeting the rigid barrier test using the belted 5th percentile adult female test dummy, NHTSA would require vehicle manufacturers to report on compliance of their vehicles with the upgraded frontal barrier crash test for the 5th percentile adult female test dummy. The report would be included with the required reports for the phase-in of the higher test speed for the 50th percentile adult male dummy.

This proposal would be implemented according to the same phase-in schedule as for the increase in test speed for the 50th percentile adult male dummy belted rigid barrier test. Implementation of the proposed requirement, if adopted, would be as follows:

- 35 percent of each manufacturer's light vehicles manufactured during the production year beginning on September 1, 2007 with an allowance of advance credits for vehicles built after September 1, 2006;
- 65 percent of each manufacturer's light vehicles manufactured during the production year beginning on September 1, 2008 with an allowance of carryover credits from vehicles built after September 1, 2006.
- 100 percent of each manufacturer's light vehicles manufactured during the production year beginning on September 1, 2009 with an allowance of carryover credits from vehicles built after September 1, 2006.
- All light vehicles manufactured on or after September 1, 2010.

If this proposal is adopted as a final rule, the agency would permit manufacturers that sell two or fewer carlines in the United States at the beginning of the first year of the phase-in (September 1, 2007) the option of omitting the first year of the phase-in. Likewise, manufacturers that produce or assemble fewer than 5,000 vehicles for the U.S. market per year and multi-stage manufacturers and alterers could defer compliance with the new requirement until September 1, 2010. This approach is fully consistent with the existing phase-in for the 0–56 km/h (0–35 mph) belted test using the 50th percentile adult male test dummy.

For each year of the phase-in period, manufacturers would be required to provide to NHTSA, within 60 days after August 31 of each "production year," information identifying the vehicles (by make, model, and vehicle identification number (VIN)) that have been certified as complying with the belted barrier test upgrade.

#### Description of the Need for the Information and Proposed Use of the Information

NHTSA would need this information to ensure that vehicle manufacturers are certifying their applicable vehicles as meeting the new belted barrier test using the 5th percentile female. NHTSA will use this information to determine whether a manufacturer has complied with the amended requirements of FMVSS No. 208 during the phase-in period.

#### Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)

NHTSA estimates that 21 vehicle manufacturers would submit the required information. For each report, the manufacturer will provide, in addition to its identity, several numerical items of information. This information would include:

- (a) Total number of vehicles manufactured for sale during the preceding production year,
- (b) Total number of vehicles manufactured during the production year that meet the new regulatory requirements, and
- (c) Information identifying the vehicles (by make, model, and vehicle identification number (VIN)) that have been certified as complying with the belted barrier test upgrade.