

first year, 40% of the applicable vehicles must meet the rear impact test upgrade, and in the second and third years, 70% and 100% respectively.

For each year of the rear impact test phase-in period, manufacturers must, within 60 days after the end of the "production year," provide to NHTSA information identifying the vehicles (by make, model, and vehicle identification number (VIN)) that have been certified as complying with the rear impact test upgrade. Furthermore, until December 31, 2009, each manufacturer must maintain records of the VIN for each vehicle for which information is reported.

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

NHTSA requires this information to ensure that vehicle manufacturers are certifying their applicable vehicles as meeting the new rear impact test upgrades that are specified in this final rule. NHTSA will use this information to determine whether a manufacturer has complied with the amended requirements of Standard No. 301 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 will submit the required information. The manufacturers are makers of passenger cars, multipurpose passenger vehicles, trucks and buses that have gross vehicle weight ratings of 4,536 kg (10,000 pounds) or less, and use fuel with a boiling point above 0 degrees Celsius. 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 side impact test upgrade or the rear impact test upgrade.

During the phase-in period, each manufacturer will provide 1 report per year for three years for the rear impact phase-in, for a total of 3 reports over 3 years.

Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting From the Collection of Information

NHTSA estimates that each manufacturer will incur two burden hours per year per report. This estimate is based on the fact that data collection will involve only computer tabulation and that manufacturers will provide the information to NHTSA in an electronic (as opposed to paper) format. Thus, for the rear impact test upgrade reporting, each manufacturer will incur a burden of two hours or a total on industry of 42 hours a year (assuming there are 21 manufacturers) to provide the rear impact test upgrades.

NHTSA estimates that the recordkeeping burden resulting from the collection of information will be 0 hours because the information will be retained on each manufacturer's existing computer systems for each manufacturer's internal administrative purposes.

NHTSA estimates that the total annual cost burden will be 1050 dollars (42 total annual burden hours \times 25 dollars/hour). There would be no capital or start-up costs as a result of this collection. Manufacturers can collect and tabulate the information by using existing equipment. Thus, there would be no additional costs to respondents or recordkeepers.

NHTSA requests comment on its estimates of the total annual hour and cost burdens resulting from this collection of information. Please submit any comments to the NHTSA Docket Number referenced in the heading of this notice or to: Dr. William J. J. Liu, Office of Crashworthiness Standards, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. Dr. Liu's telephone number is: (202) 366-2264. Comments are due by January 30, 2004.

G. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Pub. L. 104-113, section 12(d) (15 U.S.C. 272) directs NHTSA to use voluntary consensus standards in its regulatory activities unless doing so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies, such as the Society of Automotive Engineers (SAE). The NTTAA directs NHTSA to provide

Congress, through OMB, explanations when the agency decides not to use available and applicable voluntary consensus standards.

There are no voluntary consensus standards available at this time. However, NHTSA will consider any such standards when they become available.

H. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal 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 in any one year (adjusted for inflation with base year of 1995). Before promulgating a rule for which a written statement is needed, section 205 of the UMRA generally requires NHTSA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows NHTSA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the agency publishes with the final rule an explanation why that alternative was not adopted.

This final rule will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually. Consequently, no Unfunded Mandates assessment has been prepared.

I. Regulation Identifier Number (RIN)

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. You may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda.

J. Privacy Act

Anyone is able to search the electronic form of all submissions 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, business, labor union, *etc.*). You may