

**List of Subjects in 16 CFR Part 1203**

Consumer protection, Bicycles, Incorporation by reference, Infants and children, Safety.

For the reasons given above, the Commission adds a new part 1203 of Title 16 of the Code of Federal Regulations, to read as follows:

**PART 1203—SAFETY STANDARD FOR BICYCLE HELMETS**

Sec.

- 1203.1 Purpose and basis.  
1203.2 Scope and effective date.  
1203.3 Interim safety standards.

**Authority:** Secs. 201–207, Pub. L. 103–267, 108 Stat. 726–729, 15 U.S.C. 6001–6006.

**§ 1203.1 Purpose and basis.**

The purpose and basis of this rule is to protect bicyclists from head injuries by ensuring that bicycle helmets comply with the requirements of appropriate existing voluntary standards, as provided in 15 U.S.C. 6004(a).

**§ 1203.2 Scope and effective date.**

(a) Bicycle helmets manufactured after March 15, 1995, shall comply with the requirements of one of the standards specified in § 1203.3. This requirement shall be considered a consumer product safety standard issued under the Consumer Product Safety Act.

(b) A bicycle helmet is any headgear marketed as suitable for providing protection from head injuries associated with bicycle use.

(c) These interim mandatory safety standards will not apply to bicycle helmets manufactured after the effective date of a final bicycle helmet standard to be issued in the future by the Commission.

**§ 1203.3 Interim safety standards.**

(a) Bicycle helmets must comply with one or more of the following standards, which are incorporated herein by reference:

(1) American National Standards Institute (ANSI) standard Z90.4–1984, Protective Headgear for Bicyclists,

(2) ASTM standards F 1447–93 or F 1447–94, Standard Specification for Protective Headgear Used in Bicycling, incorporating the relevant provisions of ASTM F 1446–93 or ASTM F 1446–94, Standard Test Methods for Equipment and Procedures Used in Evaluating the Performance Characteristics of Protective Headgear, respectively,

(3) Canadian Standards Association standard, Cycling Helmets CAN/CSA–D113.2–M89,

(4) Snell Memorial Foundation (Snell) 1990 Standard for Protective Headgear for Use in Bicycling (designation B–90),

(5) Snell 1990 Standard for Protective Headgear for Use in Bicycling, including March 9, 1994 Supplement (designation B–90S),

(6) Snell 1994 Standard for Protective Headgear for Use in Non-Motorized Sports (designation N–94), or

(7) Snell 1995 Standard for Protective Headgear for Use with Bicycles B–95.

(b) This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the standards may be obtained as follows. Copies of the ANSI Z90.4 standard are available from: American National Standards Institute, 11 W. 42nd Street, 13th Floor, New York, NY 10036. Copies of the ASTM standards are available from: ASTM, 1916 Race Street, Philadelphia, PA 19103. Copies of the Canadian Standards Association CAN/CSA–D113.2–M89 standard are available from: CSA, 178 Rexdale Boulevard, Rexdale (Toronto), Ontario, Canada, M9W 1R3. Copies of the Snell standards are available from: Snell Memorial Foundation, Inc., P.O. Box 493, 7 Flowerfield, Suite 28, St. James, New York 11780. Copies may be inspected at the Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, Maryland 20814, or at the Office of the Federal Register, 800 N. Capitol Street NW, Room 700, Washington, DC.

Dated: March 16, 1995.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

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**DEPARTMENT OF LABOR****Wage and Hour Division****29 CFR Part 500****Migrant and Seasonal Agricultural Worker Protection Regulations***CFR Correction*

In title 29 of the Code of Federal Regulations, parts 500 to 899, revised as of July 1, 1994, § 500.268 appearing on page 50 should be removed and the following § 500.268 inserted:

**§ 500.268 Final decision of the Secretary.**

(a) The Secretary's final Decision and Order shall be issued within 120 days from the notice of intent granting the petition, and served upon all parties and the Chief Administrative Law Judge, in person or by certified mail.

(b) Upon receipt of an Order of the Secretary modifying or vacating the

Decision and Order of an Administrative Law Judge, the Chief Administrative Law Judge shall substitute such Order for the Decision and Order of the Administrative Law Judge.

BILLING CODE 1505-01-D

**DEPARTMENT OF DEFENSE****Department of the Army****Corps of Engineers****33 CFR Part 334****Danger Zone and Restricted Area Regulations**

**AGENCY:** Army Corps of Engineers, DOD.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Army Corps of Engineers is amending the regulations in 33 CFR Part 334 to add a clause that alerts mariners that potential navigation and charting errors may occur in the boundaries of some danger zones and restricted areas as a result of the updating and replacement of the North American Datum of 1927 with the North American Datum of 1983. The promulgation of these regulations will notify mariners that geographic coordinates establishing danger zone and restricted area boundaries, promulgated in 33 CFR Part 334 are not to be used for plotting on maps and charts where NAD 83 is referenced unless the geographic coordinates in the regulations are expressly labeled "NAD 83". Geographic coordinates without the NAD 83 reference may be plotted on charts or maps which are referenced to NAD 83 only after applying the correct formula that is published on the map or chart being used.

**EFFECTIVE DATE:** April 24, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph Eppard at (202) 272–1783.

**SUPPLEMENTARY INFORMATION:** A datum is a reference point, line or surface used as a reference in surveying and mapping. Through the use of satellites and other modern surveying techniques, it is now possible to establish global reference systems. The North American Datum of 1983 (NAD 83), a new adjustment of the U.S. network of horizontal control, has been adopted as a standard reference datum by the United States and Canada. In March 1988, the National Ocean Service, National Oceanic and Atmospheric Administration, commenced publishing charts in NAD 83. The parameters of the Ellipsoid of reference used with NAD 83 are very close to those used for the