Small Business Investment Company Computation of Alternative Maximum Annual Cost of Money to Small Business Concerns

13 CFR 107.302 limits maximum annual Cost of Money (as defined in 13 CFR 107.3) that may be imposed upon a Small Concern in connection with Financing by means of Loans or through the purchase of Debt Securities. The cited regulation incorporates the term ''Debenture Rate'', which is defined elsewhere in 13 CFR 107.3 in terms that require SBA to publish, from time to time, the rate charged on ten-year debentures sold by Licensees to the public.

Accordingly, Licensees are hereby notified that effective the date of publication of this Notice, and until further notice, the Debenture Rate for computation of maximum cost of money pursuant to 13 CFR 107.302 is 7.84 percent per annum.

13 CFR 107.302 does not supersede or preempt any applicable law imposing an interest ceiling lower than the ceiling imposed by its own terms. Attention is directed to Section 308(i) of the Small Business Investment Act of 1958, as amended, to that law's Federal override of State usury ceilings, and to its forfeiture and penalty provisions.

(Catalog of Federal Domestic Assistance Program No. 59.011, small business investment companies)

Dated: March 29, 1995.

Robert D. Stillman,

Associate Administrator for Investment.

[FR Doc. 95–8164 Filed 4–3–95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 93–80; Notice 2]

Babyhood Manufacturing, Inc.; Mootness of Petition for Determination of Inconsequential Noncompliance

Babyhood Manufacturing, Inc. (Babyhood) of Shrewsbury, Massachusetts determined that some of its child safety seats failed to comply with the buckle release force requirements of 49 CFR 571.213, ''Child Restraint Systems,'' Federal Motor Vehicle Safety Standard (FMVSS) No. 213, and filed an appropriate report pursuant to 49 CFR part 573, ''Defect and Noncompliance Reports''. Babyhood also petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) on the basis that the noncompliance was inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published on November 4, 1993, and an opportunity afforded for comment (58 FR 58895). No comments were received on the petition. This notice announces that the petition has been mooted by Babyhood's decision to notify and remedy according to the statutory requirements.

Paragraph S5.4.3.5 of FMVSS No. 213 requires in pertinent part that

> [A]ny buckle in a child restraint system belt assembly designed to restrain a child using the system shall: (a) when tested in accordance with S6.2.1 prior to the dynamic test * * * shall release when a force of not more than 14 pounds is applied;
>
> (b) [A]fter the dynamic test of S6.1, when tested in accordance with S6.2.3, release when a force of not more than 16 pounds is applied.

Between January 31, 1992 and June 30, 1993, Babyhood produced approximately 3,100 child restraint seats, with shoulder harness straps that do not comply with the buckle release requirements of FMVSS No. 213. When four Babyhood child restraint seats were tested by the Calspan Corporation for NHTSA, two of the four units required forces of 14.3 and 15.9 pounds to release the buckle, thus failing the requirement specified in S5.4.3.5(a) of the standard. The other two complied. Babyhood performed subsequent tests on buckles it had in inventory and found that approximately 25 percent of the buckles required release forces of over 14 pounds. These belts all complied with the maximum release force requirement of 16 pounds after the test.

Subsequent to the close of the comment period on Babyhood's petition, Calspan conducted additional tests on the buckles in question. These showed pre- and post-impact release forces up to 16.8 and 18.2 pounds, far exceeding the 14 and 16 pound maxima. Partial engagement tests of the buckle were conducted by Detroit Testing Laboratory, and the 5-pound maximum force limit was exceeded in these tests as well. Accordingly, on February 6, 1995, Babyhood submitted a further Part 573 Report in which it agreed to conduct a notification and remedy campaign covering the 3,100 seats in question. Thus, the Administrator has no reason to consider further Babyhood's prior request for exemption from the notification and remedy provisions, as Babyhood's action in filing the new Part 573 Report moots its earlier petition.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on March 28, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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