retain the rule prohibiting network control of station advertising rates. We ask for comment on the circumstance under which it might be appropriate to repeal one rule but retain the other.

Administrative Matters

17. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR § § 1.415 and 1.419, interested parties may file comments on or before August 28, 1995, and reply comments on or before September 27, 1995. To file formally in this proceeding, you must file an original plus four copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a copy of your comments, you must file an original plus nine copies. You should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. 20554.

18. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission Rules. *See generally* 47 CFR § § 1.1202, 1.1203, and 1.1206(a).

Initial Regulatory Flexibility Analysis

19. *Reason for the Action:* This proceeding was initiated to review and update the Commission's Rules concerning network control of station advertising rates and affiliate advertising representation by networks in light of changes in the video programming industry.

20. *Objective of this Action:* This *Notice* is intended to reexamine the Commission's rules regulating broadcast television stations' sale of advertising.

21. *Legal Basis*: Authority for the actions proposed in this *Notice* may be found in Sections 4 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154 and 303.

22. *Recording, Recordkeeping, and Other Compliance Requirements Inherent in the Proposed Rule:* None.

23. *Federal Rules that Overlap, Duplicate, or Conflict with the Proposed Rules:* None

24. *Description, Potential Impact, and Number of Small Entities Involved:* Approximately 1,500 existing television broadcasters of all sizes may be affected by the proposals contained in this decision.

25. *Any Significant Alternatives Minimizing the Impact on Small Entities and Consistent with the Stated Objectives:* The proposals contained in this *NPRM* are intended to simplify and ease the regulatory burden currently placed on commercial television broadcasters.

26. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared the above Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in this document. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of this *Notice of Proposed Rule Making,* but they must have a separate and distinct heading designating them as responses to IRFA. The Secretary shall send a copy of this *Notice of Proposed Rule Making,* including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Pub. L. No. 96–354, 94 Stat. 1164, 5 U.S.C. Section 601 *et seq.* (1981).

27. This *Notice of Proposed Rule Making* is issued pursuant to authority contained in Sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303.

List of Subjects 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95–16374 Filed 7–3–95; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 575

[Docket No. 94–30, Notice 3]

RIN 2127–AF17

Consumer Information Regulations Uniform Tire Quality Grading Standards

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

ACTION: Supplemental notice of proposed rulemaking; extension of comment period; notice of public meeting.

SUMMARY: On May 24, 1995, NHTSA published a notice of proposed rulemaking (NPRM) to amend the Uniform Tire Quality Grading Standards (UTQGS). Pursuant to requests from several tire manufacturers, NHTSA announces an extension of the period for submitting written comments on the NPRM from July 10, 1995 to August 14, 1995. The agency also announces the holding of a public meeting to supplement the written comments. Finally, NHTSA proposes an additional calculation to supplement the proposed rolling resistance regression equation so that the equation can be used to calculate a specific rolling resistance coefficient.

DATES: *Public meeting and copies of oral testimony:* The public meeting will be held July 24, 1995, beginning at 9 a.m. Those wishing to make oral presentations should contact Mr. Orron Kee at the address or telephone number listed below, and submit copies of their planned testimony by July 20, 1995.

Written comments: Written comments on the May 24, 1995 NPRM and this SNPRM must be received on or before August 14, 1995.

Proposed Effective Date: If adopted, the amendments proposed in this notice would become effective one year after date of publication of the final rule in the **Federal Register**.

ADDRESSES: *Public Meeting:* The meeting will be held in Room 2230 Nassif Building, 400 Seventh Street, S.W, Washington, D.C.

Written Comments: Comments on the NPRM and SNPRM should refer to Docket No. 94–30; Not. 2 or the docket and notice number shown above, and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Room 5111, Washington, DC 20590. Docket room hours are from 9:30 a.m. to 4 p.m., Monday through Friday.

Written copies of oral testimony: Written copies of oral testimony for the meeting should be provided to Mr. Orron Kee at the address below.

FOR FURTHER INFORMATION CONTACT: Mr. Orron Kee, Office of Market Incentives, Office of the Associate Administrator for Rulemaking, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Room 5320, Washington, DC 20590, telephone (202) 366–0846.

SUPPLEMENTARY INFORMATION:

Background

In the May 24, 1995 **Federal Register**, NHTSA published a notice of proposed rulemaking (NPRM) to amend the Uniform Tire Quality Grading Standards (UTQGS)(49 CFR 575.104) to: Revise the

treadwear testing procedures to maintain the base course wear rate of course monitoring tires at its current value; create a new traction grade of ''AA'' in addition to the current traction grades of A, B, and C; and replace the temperature resistance grade with a rolling resistance/fuel economy grade. (60 FR 27472)

Requests for Extension of Comment Period and for Public Meeting

Subsequent to the May 1995 NPRM, NHTSA received requests for extension of the period for submitting written comments on the NPRM and for a public meeting on the NPRM from the Goodyear Tire and Rubber Company, the Kelly Springfield Tire Company, Multinational Business Services, Inc., Cooper Tire and Rubber Company, and Bridgestone/Firestone, Inc. A copy of each letter has been placed in NHTSA's docket at Docket No. 94–30, Notice 2. NHTSA has decided to grant these requests. A public meeting will be held on July 24, 1995 in Room 2230, Nassif Building, 400 Seventh Street, S.W., Washington, DC. The meeting will begin at 9 a.m. Although NHTSA wishes to hear as many views as possible, it reserves the right to limit the number of witnesses and the time allotted to each speaker. The period for submitting written comments, originally scheduled to end July 10, is extended to August 14, 1995.

Topics for Public Meeting

To focus the discussion at the public meeting, NHTSA asks those testifying at the meeting to address one or more of the following topics:

1. Effect of rolling resistance improvements on traction under each of the following conditions: wet road surface, dry road surface, and low temperatures.
2. Effect of rolling resistance improvements on cornering and handling performance.
3. Differences in the rolling resistance, traction, and handling characteristics of original equipment tires and replacement passenger car tires.
4. Costs of:

(A) Testing for rolling resistance grading instead of temperature resistance grading;

(B) Revising tire molds, tread labels, and brochures to include rolling resistance grades;

(C) Improving the rolling resistance performance of replacement tires so that it equals that of original equipment passenger cars; and

(D) Leadtime necessary before commencing to test and label tires for rolling resistance.

5. Carbon dioxide reduction and fuel economy improvement benefits from low rolling resistance tires.
6. Suggestions and supporting data for other test procedure revisions to improve treadwear test consistency and repeatability.
7. Cost of regrading tires under existing regulation when treadwear rating increases due to changes in the base course wear rate.
8. Cost of labeling for higher traction grade:

(A) Cost if that higher grade is the only change made to the UTQGS regulation; and

(B) Additional cost if higher grade is added at same time as rolling resistance grade.

Oral testimony is not limited to the topics listed above. NHTSA welcomes additional comments at the meeting on any other issue raised in the May 24, 1995 NPRM or this SNPRM to amend the UTQGS Standard.

Procedural Matters for the Public Meeting

Persons wishing to speak at the public meeting should contact Mr. Orron Kee, whose address and telephone number appear in the beginning of this notice. Please contact Mr. Kee by July 20, 1995, so that NHTSA can determine the need for any special equipment, and can make any other special arrangements. NHTSA asks that, if possible, each participant provide Mr. Kee with a copy of his or her oral presentation by July 20, 1995, and limit the presentation to 30 minutes. If the presentation will include slides, motion pictures, or other visual aids, please bring at least one copy of each such aid to the meeting so that the agency can include them in the public record.

To facilitate communication, NHTSA will provide auxiliary aids (e.g., sign language interpreter, braille materials, large print materials and/or a magnifying device) to participants as necessary, during the meeting. Any person desiring auxiliary aids should contact Ms. Barbara Carnes, NHTSA Office of Safety Performance Standards, telephone (202) 366–1810, by July 12, 1995.

If the number of requests for oral presentations exceeds the available time, NHTSA will ask prospective speakers and organizations with similar views to combine or summarize their presentations. If time permits at the end of the scheduled presentations, NHTSA will permit unscheduled speakers to make statements.

The NHTSA presiding officials at the meeting may ask questions of any speaker. Further, any attendee at the meeting may submit written questions for the agency panel, at its discretion, to address to presenters of testimony. However, there will be no opportunity for attendees to directly question any presenter of testimony.

A schedule of persons making oral presentations will be available at the designated meeting room. Please be aware that NHTSA will place a copy of any written statement provided by those persons in the docket for this notice. A verbatim transcript of the meeting will be prepared and placed in the docket as soon as possible following the hearing.

Any interested person can submit written comments on the issues set out in this notice, for inclusion in the docket. Unless a person is requesting confidential treatment for information in his or her submission, the person need not submit more than three copies of the comments. NHTSA asks however, that if possible, 10 copies be provided. Any written testimony submitted will be considered as comments to the NPRM.

Supplemental Proposal

Among the proposals in the May 24, 1995 NPRM was a proposal to replace the UTQGS' temperature resistance grade with a rolling resistance/fuel economy grade. On page 27481 of the NPRM, NHTSA explained that the substitution was proposed because NHTSA tentatively concluded that fuel economy information is more understandable and more meaningful to the tire-buying public than the temperature resistance rating. Further, adding the fuel economy grade furthers the initiatives in the Climate Change Action Plan issued by the Clinton Administration in October 1993 in a national effort to reduce greenhouse gas emissions.

NHTSA proposed to base the new fuel economy rating on a rolling resistance coefficient instead of rolling resistance itself since doing so would partially normalize rolling resistance variations by tire size within a tire line. The rolling resistance coefficient (C_r) is calculated by dividing the rolling resistance by the load on the tire when tested in accordance with SAE Recommended Practice J–1269, Rolling Resistance Measurement Procedure for Passenger Car, Light Truck, and Highway Truck and Bus Tires, revised March, 1987 (SAE J–1269). One tire manufacturer, Michelin, commented in response to the agency's April 25, 1994 Request for Comments on UTQGS that the rolling resistance coefficient ranges from 0.0073 to 0.0156, while other tire manufacturers, Goodyear, assessed the range as being between 0.0067 and

0.0152, and Standard Testing Laboratories (STL), assessed it as being between 0.005 to 0.015. (59 FR 19686)

In the NPRM, NHTSA proposed two alternative ways of calculating the tire's fuel economy based on the rolling resistance coefficient. In the final rule, one of the two alternatives may be adopted. The first method begins by using 0.010 as the midpoint of all the rolling resistance coefficient ranges suggested by Michelin, Goodyear, and STL in their comments on the April 1994 Request for Comments. The first method would rate tires with a coefficient of less than 0.010 as ''A'' for fuel economy. Tires with a coefficient of 0.010 to 0.015 would be rated ''B,'' while tires with a rolling resistance coefficient greater than 0.015 would be rated ''C.'' The first method would be consistent with the views of those commenters that stated that if a rolling resistance/fuel economy rating were established, the A, B, and C ratings would be simpler, and therefore preferable.

The second method of calculating the tire's fuel economy favors a more differentiated, quantitative expression of the amount of potential fuel savings than would be provided by a general indication as in the case of the letter ratings. For example, a tire with rolling resistance coefficient of 0.0080 would be graded as achieving a 9 percent increase in fuel savings (100(0.0150–0.0080)/(0.0150)(5)). (The number (5) in the preceding calculation represents a 5 percent change in rolling resistance.) Similarly, a tire with a rolling resistance coefficient of 0.0150 would be graded as achieving a 1 percent increase in fuel economy.) A tire with a rolling resistance coefficient of 0.0150 or greater would be graded as 0 percent, indicating no fuel savings.

After publishing the NPRM containing these two alternative calculation methods, NHTSA determined that the SAE J–1269 calculation results not in a specific coefficient, but in a regression equation that specifies the rolling resistance coefficient as a function of tire load and pressure. In order to compare different tires, a specific combination of tire load and pressure must be specified. To compare fuel economy ratings of tires, it is more meaningful to compare coefficients against coefficients, rather than (as proposed in the NPRM), equations against equations.

NHTSA therefore proposes that variables (tire load and pressure) in the SAE J–1269 equations be calculated using the test load and pressure specified for the high speed performance test in Table II of Standard No. 109 *New Pneumatic Tires* (49 CFR 571.109). That test has the same values for test load and pressure as those in the temperature resistance test presently specified in the UTQGS. NHTSA proposes to use the high speed performance test values because the values specified in Table II are close to the test points specified in SAE J–1269.

Standard No. 109's high speed performance test procedures specify a test load of 88 percent of the tire's maximum load with a pressure somewhat less than the maximum pressure, in accordance with the value provided in Table II of Standard No. 109. The pressures specified in Table II are not reduced by the same amount for the higher pressure 300, 340, and 350 kPa tires as they are for the 240 and 280 kPa tires. Stamping a tire as 300, 340, or 350 kPa signifies that the pressures are available if needed, not that the tires must be inflated to the maximum pressures. Standard load conventional tires all reach their maximum load capacity at 240 kPa or 280 kPa (for P-metric tires). Tires stamped with 300 kPa or 350 kPa maximum pressure have the same maximum load capacity as tires stamped 240 kPa maximum pressure. Standard load conventional tires stamped with 340 kPa maximum pressure have the same maximum load capacity as tires stamped 280 kPa. 300, 340 or 350 kPa-stamped tires may have an additional 60 or 110 kPa inflation pressure, when needed for specific uses.

Public comment is sought on the proposed method for calculating a specific rolling resistance coefficient using the SAE J–1269 rolling resistance regression equation. Comment is also sought whether there are alternative methods of selecting the load and pressure values to calculate a specific coefficient, using the SAE J–1269 equation.

Rulemaking Analyses and Notices

A. E.O. 12866 and DOT Regulatory Policies and Procedures

This notice has not been reviewed under E.O. 12866, Regulatory Planning and Review. The agency has considered the impact of this rulemaking action and has concluded that it is not ''significant'' under the DOT's Regulatory Policies and Procedures. The amendments proposed in this notice are intended to make the UTQGS more meaningful and helpful to consumers in selecting tires to meet their needs. Adoption of the new calculation method proposed in this notice would not inherently increase the costs, either to manufacturers or to consumers, of replacing the temperature resistance grade with the rolling resistance grade. Discussion of the impacts of the NPRM is contained in the agency's Preliminary Regulatory Evaluation, a copy of which has been placed in NHTSA's Docket No. 94–30, Notice 2.

B. Regulatory Flexibility Act

NHTSA has considered the impacts of this rulemaking action under the Regulatory Flexibility Act. I hereby certify that the proposed amendment would not have a significant economic impact on a substantial number of small entities. Accordingly, the agency has not prepared a preliminary regulatory flexibility analysis. The agency believes that no passenger car tire manufacturers qualify as small businesses. Further, as noted above, adoption of the proposed calculation method would not impose any additional costs.

C. National Environmental Policy Act

NHTSA has analyzed this rulemaking for purposes of the National Environmental Policy Act and has determined that implementation of the proposal in this document would have no significant impact on the quality of the human environment.

D. Federalism

NHTSA has analyzed this proposal in accordance with the principles and criteria contained in E.O. 12612 and has determined that the proposals in this notice do not have sufficient federalism implications to warrant preparation of a Federalism Assessment. No state laws would be affected.

E. Civil Justice Reform

The proposed amendment in this notice would not have any retroactive effect. Under 49 U.S.C. 30103(b), whenever a Federal motor vehicle safety standard is in effect, a state or political subdivision thereof may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle only if the state's standard is identical to the Federal standard. However, the United States government, a state or political subdivision of a state may prescribe a standard for a motor vehicle or motor vehicle equipment obtained for its own use that imposes a higher performance requirement than that required by the Federal standard. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. A petition for reconsideration or other administrative proceedings is not required before parties may file suit in court.

Comments

Interested persons are invited to submit written comments on the amendments proposed in this rulemaking action. It is requested but not required that any comments be submitted in 10 copies.

Comments must not exceed 15 pages in length (49 CFR 553.21). This limitation is intended to encourage commenters to detail their primary arguments in concise fashion. Necessary attachments, however, may be appended to those comments without regard to the 15-page limit.

If a commenter wishes to submit certain information under a claim of confidentiality, 3 copies of the complete submission including the purportedly confidential business information should be submitted to the Chief Counsel, NHTSA at the street address shown above, and 7 copies from which the purportedly confidential information has been expunged should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in 49 CFR 512, the agency's confidential business information regulation.

All comments received on or before the close of business on the comment closing date indicated above for the proposal will be considered, and will be available to the public for examination in the docket at the above address both before and after the closing date. To the extent possible, comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the proposal will be available for public inspection in the docket. NHTSA will continue file relevant information in the docket after the closing date, and it is recommended that interested persons continue to monitor the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed stamped postcard in the envelope with their comments. Upon receiving the comments the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 575

Consumer protection, Motor vehicle safety, reporting and recordkeeping, Tires.

In consideration of the foregoing, 49 CFR Part 575 would be amended as follows;

PART 575—CONSUMER INFORMATION REGULATIONS

1. The authority citation for Part 575 would continue to read as follows:

Authority: 49 U.S.C. §§ 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

2. Section 575.104 would be amended by revising paragraph (g).

§ 575.104 Uniform tire quality grading standards.

* * * * *

[Alternative 1 to paragraph (g)]:

(g) *Fuel economy grading.* The fuel economy grade is calculated as follows:

(1) The tire's rolling resistance coefficient is determined in accordance with the procedures of SAE Recommended Practice J–1269, Rolling Resistance Measurement Procedure for Passenger Car, Light Truck, and Highway Truck and Bus Tires, revised March, 1987 (SAE J–1269). In evaluating the rolling resistance coefficient (using the regression equation from the SAE J–1269 procedure), use the load value specified in Standard No. 109 *New Pneumatic Tires* (49 CFR 571.109) for the tire and its corresponding test pressure specified in Table II of Standard No. 109, for the high speed performance test.

(2) The rolling resistance coefficient (C_r) is the ratio of rolling resistance force (F_r) to the normal load (F_n) on the tire: or

$$C_r = \frac{F_r}{F_n}$$

Example No 1: F_n = 1,100 pounds of force (lbf); F_r = 8 lbf; then

$$C_r = \frac{8}{1{,}100} = 0.00727s$$

A rolling resistance coefficient of 0.00727 would result in a grade of ''A'' for fuel economy.

Example No. 2: F_n = 1,100 lbf, and F_r = 18 lbf, then

$$C_r = \frac{18}{1{,}100} = 0.01636$$

A rolling resistance coefficient of 0.01636 would result in a grade of ''C'' for fuel economy.

[Alternative 2 to paragraph (g)]:

(g) *Fuel economy grading.* The fuel economy grade is calculated as follows:

(1) The tire's rolling resistance coefficient is determined in accordance with the procedures of SAE Recommended Practice J–1269, Rolling Resistance Measurement Procedure for Passenger Car, Light Truck, and Highway Truck and Bus Tires, revised March, 1987 (SAE J–1269). In evaluating the rolling resistance coefficient (using the regression equation from the SAE J–1269 procedure), use the load value specified in Standard No. 109 *New Pneumatic Tires* (49 CFR 571.109) for the tire and its corresponding test pressure specified in Table II of Standard No. 109 for the high speed performance test.

(2) The rolling resistance coefficient (C_r) is the ratio of rolling resistance force (F_r) to the normal load (F_n) on the tire: or

$$C_r = \frac{F_r}{F_n}.$$

Example No. 1: F_n = 1,100 pounds force (lbf); F_r = 8 lbf; then

$$C_r = \frac{8}{1{,}100} = 0.00727.$$

Example No. 2: F_n = 1,100 lbf, and F_r = 18 lbf; then

$$C_r = \frac{18}{1{,}100} = 0.01636.$$

(3) Determine the tire's fuel economy grade by subtracting its rolling resistance coefficient from 0.0150, then multiply by 1,333. The resulting number, rounded to the nearest whole number, is the fuel economy grade, expressed as a percentage.

(i)(A) Using the numbers in Example No. 1 in paragraph (g)(2) of this section, given the rolling resistance coefficient (C_r) of 0.00727, the fuel economy grade (F_g) would be calculated as follows:

F_g = (0.0150 - 0.00727) x 1,333
= (0.00773) x 1,333 = 10.30 percent, rounded to 10 percent.

(B) This would represent an increase of 10 percent in fuel economy, expressed as a fuel economy grade of ''10%''.

(ii) Using the numbers in Example No. 2 in paragraph (g)(2) of this section: If F_n = 1,100 lbf, and F_r = 18 lbf, then

F_g = (0.0150 - 0.01636) x 1,333
= (-0.00136) x 1,333 = -1.82 or 0 percent

A negative value represents a 0 percent increase in fuel economy, and would be expressed as a fuel economy grade of ''0%''.

Issued on: June 29, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 95–16462 Filed 6–29–95; 4:12 pm]

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