Subpart B—Proposed Water Resources Projects

§ 6400.10 What procedures must a Federal department agency follow to receive consideration from BLM before providing assistance to, or authorization of, a water resources project?

(a) *Advance notice.* (1) Federal department sand agencies must notify the Director, BLM, as soon as possible of their intention to issue a license, permit, or other authorization for a federally-assisted water resources project on any portion of a Wild and Scenic River or Study River administered by the BLM.

(2) Agencies must send advance notice at least 60 days before the date of the proposed action.

(3) Agencies should send the notice to the Director, Bureau of Land Management, 1620 L Street NW., WO–420, Mail stop 204LS, Washington, DC 20240–9998.

(b) *Contents of notice.* Include the following information in the notice:

(1) Name and location of affected river;

(2) Location of the project;

(3) Nature of the permit or other authorization proposed to be issued;

(4) Description of the proposed activity; and

(5) Any relevant information, such as plans, maps, environmental studies, assessments, or impact statements, alternatives, and mitigating measures.

§ 6400.111 Under what conditions will the Director approve Federal assistance to, or authorization of, a water resources project?

(a) The Director will approve Federal assistance to, or authorization of, a water resources project if he or she determines that:

(1) The water resources project will not have a direct and adverse effect on the values for which a Wild and Scenic River was designated or Study River was authorized, when any portion of the project is within the boundaries of such river; or

(2) The effects of the water resources project will neither invade nor unreasonably diminish the scenic, recreational, and fish and wildlife values of a Wild and Scenic River, when any portion of the project is located above, below, or outside the Wild and Scenic River; or

(3) The effects of the water resources project will neither invade nor diminish the scenic, recreational, and fish and wildlife values of Study River when the project is located above, below, or outside the Study River during the study periods; and

(4) The water resources project is in compliance with the National Environmental Policy Act (NEPA).

(b) If the proposed assistance or authorization fails to meet the above conditions, the Director will disapprove an authorization for a water resources project.

§ 6400.12 What is the time limit for the Director to approve Federal assistance to, or authorization of, a water resources project?

The Director must approve or disapprove an authorization for a water resources project within 60 calendar days of receiving the advance notice. The Director, to the extent possible, will expedite consideration of a notice of intent for a project it is needed to address an emergency.

Dated: August 27, 1996.

Sylvia V. Baca,

Deputy Assistant Secretary, Land and Minerals Management.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96–095, Notice 01]

RIN 2127–AG50

Federal Motor Vehicle Safety Standards; Child Restraint Systems

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

ACTION: Notice of public workshop; request for comments.

SUMMARY: This document announces that NHTSA will be holding a public workshop to explore issues relating to improving child safety by establishing requirements for universal child restraint anchorage systems. The purpose of the workshop is to—

- Assess and discuss the relative merits, based on safety, cost, public acceptance and other factors, of various competing solutions to the problems associated with improving the compatibility between child restraint systems and vehicle seating positions and belt systems, increasing child restraint effectiveness, and increasing child restraint usage rates;
- Assess the prospects for the adoption in this country and elsewhere of a single regulatory solution or at least compatible regulatory solutions; and
- Promote the convergence of those solutions.

DATES: *Public workshop:* The public workshop will be held in Washington DC on October 9 and 10, 1996, from 9:00 a.m. to 5:00 p.m.

Those wishing to participate in the workshop should contact Dr. George Mouchahoir, at the address or telephone number listed below, by October 4, 1996.

Written comments: Written comments may be submitted to the agency and must be received by October 25, 1996.

ADDRESSES: *Public workshop:* The public workshop will be held in room 2230 of the Nassif Building, 400 Seventh St. SW, Washington DC 20590.

Written comments: All written comments must refer to the docket and notice number of this notice and be submitted (preferable 10 copies) to the Docket Section, National Highway Traffic Safety Administration (NHTSA), Room 5109, 400 Seventh St., S.W., Washington, D.C. 20590. Docket hours are from 9:30 a.m. to 4:00 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Dr. George Mouchahoir, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, D.C., 20590 (telephone 202–366–4919).

SUPPLEMENTARY INFORMATION:

I. Safety Problem

A child restraint system that is properly installed in a motor vehicle and used correctly can reduce the chance of serious injury in a crash by 67 percent and fatal injury by an estimated 71 percent. However, the safety benefits of a child restraint system can be reduced considerably or even negated altogether when the child restraint is not properly installed and used. A four-state study done for the National Highway Traffic Safety Administration (NHTSA) in 1996 examined people who use child restraint systems and found that approximately 80 percent of the persons made at least one error in using the systems.[1] The rates of incorrect usage for specific components were 72 percent for the clip designed to lock the vehicle lap belt used to secure the child restraint system, 59 percent for the harness retainer chest clip, 46 percent for the harness strap, and 17 percent for the vehicle safety belt. The study did not address the potential risk of injury for each mode of incorrect usage.

A major source of difficulty in properly installing child restraints is incompatibility between child restraints and vehicle seating positions and safety

[1] A copy of this study will be placed in the docket prior to the public workshop.

belt systems. Incompatibility can occur as the result of:

- The seat belt anchorages being positioned too far forward of the seat bight.[2] Some vehicle manufacturers have moved the anchorages farther forward of the seat bight to improve the path of the lap belt across the lap of adults.
- The bottom cushion of some vehicle seats are too deeply contoured. As a result, there is no surface on the seats which can be used to mount a child restraint stably.
- The seat belt may not be long enough to permit it to be fastened around child restraints, or special child restraints. In addition, the seat belt hardware may not be suitable for use with these restraints. In these cases, the seat belt may not properly hold the child restraint.
- The vehicle seat is not wide enough or long enough to properly accommodate the child restraint.

II. Past Efforts to Develop Solutions

One of NHTSA's highest priorities is improving the proper installation and use of child restraints. NHTSA Administrator Ricardo Martinez, M.D. has appeared on national television to make the public more aware of the need for increasing the correct use of child restraints. The agency has also worked with newspapers, magazines and other journals across the country to alert the public to the causes and consequences of incorrect use. In February 1995, Administrator Martinez announced the formation of a ''Blue Ribbon Panel'' of experts to recommend ways that child restraints can be made easier to install and use. Panel members included child safety advocates and representatives of the motor vehicle, child safety seat and seat belt industries. Both domestic and foreign manufacturers were represented.

On April 2, 1995, NHTSA held a public meeting to obtain public comment on the causes of incorrect child restraint use and incompatibility with motor vehicles. Among other things, participants provided information about compatibility problems between vehicle seat and belt assemblies and child restraints. NHTSA expressed concern that child restraints and the vehicles in which they are used are not always readily compatible, thereby making it difficult for parents to install and use the restraint systems to ensure that their child receives the best protection.

On May 30, 1995, the ''Blue Ribbon Panel on Child Restraint and Vehicle Compatibility'' issued its report recommending ways to improve the correct and convenient use of child restraints and to seek solutions to improve the compatibility between child restraints and vehicle seating positions. The panel addressed child restraint compatibility issues in three time frames—(1) existing products currently being used by consumers, (2) products currently for sale in the marketplace or available in the near future, and (3) new technologies for future products.

With respect to long term solutions, the Blue Ribbon Panel recommended an entirely new and separate anchorage system for child restraint installation, given the complex variables affecting the proper installation of child restraints using existing vehicle safety belts. The panel noted that the International Standards Organization (ISO), Technical Committee 22, Subcommittee 12, Working Group 1, Child Restraint Systems, was developing a system known as ISOFIX that uses four rigid uniform attachment points for child restraints and vehicle seating positions. The panel further recommended that

> NHTSA should expeditiously complete a comprehensive evaluation of ISOFIX, including appropriate crash modes and child comfort issues, and should initiate rulemaking that, if NHTSA's evaluation is found acceptable, will permit ISOFIX or a uniform attachment points system that is functionally compatible with ISOFIX under Federal Motor Vehicle Safety Standard 213.

In the Fall of 1995, NHTSA initiated a research program to support rulemaking about a universal[3] child restraint anchorage system such as the ISOFIX. The research program consisted of five major elements:

- Evaluation of safety performance issues,
- Assessment of benefits,
- A tear down cost study,
- Evaluation of consumer acceptance, and
- Harmonization and cooperative work over the development of a universal system.

On January 23, 1996, the Blue Ribbon Panel met to discuss ISOFIX and other universal attachment systems. At this meeting, most of the domestic child restraint manufacturers and most of the domestic and foreign vehicle and safety belt manufacturers that were present stated their opposition to ISOFIX without further evaluation of that system and other universal attachment systems. The panel as a whole expressed concern that ISOFIX might be too rigid, too susceptible to false latching, unreasonably expensive, and too heavy.

To encourage NHTSA to evaluate other universal anchorage systems in addition to ISOFIX, the Blue Ribbon Panel adopted two statements to clarify its initial recommendation:

> ★ At this time, the panel does not endorse ISOFIX as the singular uniform attachment points system for future use in the United States. However, the panel continues to strongly endorse uniform attachment points for child restraints.
>
> ★ Other child restraint anchorage concepts, in addition to ISOFIX, should be evaluated by interested parties (e.g., child restraint and vehicle manufacturers, regulators, etc.) prior to initiating regulatory proposals or requiring any specific design concept.

In June 1996, the Blue Ribbon Panel issued a report titled a ''Progress Report on 1995 Recommendations.'' That report stated that NHTSA had conducted tests of ISOFIX child restraint systems and will continue to conduct testing. The tests included dynamic sled tests using rear-facing and forward-facing child restraints on a Standard No. 213 test fixture fitted with matching rigid attachment points hardware, as specified by ISO.

In the same month, NHTSA completed its ISOFIX research program. It is now in the process of documenting the findings of this program. As part of this program, the agency has conducted a tear down cost analysis of alternative universal child restraint anchorage systems. The agency has also conducted sled testing of the ISOFIX at its Vehicle Research Test Center. The agency anticipates that the cost analysis and the sled testing results will be available at the public workshop. The agency will put in the docket an analysis entitled, ''Target Population Assessment, Clinic and Test Results for Universal Attachment Points for Child Restraints,'' which provides much of the data collected by the agency on this issue and some analyses of those data.

III. Solutions Currently Under Consideration

This section briefly describes the ISOFIX four-point rigid system. It then discusses other anchorage systems that were developed by interested parties, including ISO, the governments of other countries, and vehicle and child restraint manufacturers, as alternatives to ISOFIX in response to the problems associated with that system.

[2] The intersection of the vehicle seat back and its seat cushion.

[3] In today's notice, NHTSA refers to these anchorages as ''*universal* child restraint anchorage systems.'' This term should not be confused with the term, ''*uniform* child restraint anchorage systems,'' used by GM and the other manufacturers in their petition for rulemaking.

A. ISOFIX Four-Point Rigid System

The ISOFIX four-point rigid attachment system consists of two rear anchorage points hidden in the area where the vehicle seat cushion and seat back intersect. These anchorages are specified by the ISO Working Group as short steel bars with a diameter of 6 mm. A four-point system presents certain advantages over a two-point system (discussed below). Its greater number of attachment points provides a degree of fail-safe backup protection. Further, it provides firm anchorage independent of a vehicle's seat cushion and lap belt, thus eliminating use problems associated with those vehicle components.

B. CANFIX Two-Point Rigid System Plus Tether

Transport Canada has developed the CANFIX system which consists of two rigid rear attachments like ISOFIX at the bight of the seat plus an upper tether. This system requires all vehicles to be equipped with upper tether anchorage locations. Transport Canada developed the CANFIX as an alternative to the four-point ISOFIX based on its interest in a tether as a third attachment point and on its concerns about the acceptability to vehicle manufacturers of the front attachment points on vehicle seats.

CANFIX is supported by Australia which refers to the system as CAUSFIX. Australia selected CAUSFIX after testing CAUSFIX, the four-point ISOFIX, and current systems. CAUSFIX was preferred because it was thought to provide the best potential for side impact protection and because upper tethers have strong support in Australia. As of July 1996, Australia had not tested a system like that described in the next section, i.e., a two-point soft system plus tether.

C. US and Japanese Industry Petition For Two-Point Soft System Plus Tether

On June 28, 1996, NHTSA received a petition for rulemaking from the American Automobile Manufacturers Association (AAMA) which includes General Motors, Chrysler, and Ford; certain members (Honda, Isuzu, Nissan, Subaru, and Toyota) of the Association of International Automobile Manufacturers (AIAM); and the Juvenile Products Manufacturer's Association (JPMA) which includes Century, Evenflo, Fisher-Price, Gerry, Kolcraft, and Indiana Mills and Manufacturing.[4]

In the joint U.S./Japanese industry petition, the petitioners requested that the agency conduct a rulemaking proceeding to require vehicle manufacturers to provide uniform child restraint anchorages (UCRA) for add-on child restraint systems at (1) the two outermost, forward-facing second row positions, and (2) at least one front position in vehicles that either lack second row seats or have second row seats incapable of accommodating a rear facing infant seat and that have a switch for deactivating the front passenger air bag. In addition, a top tether anchorage would be required at each rear seating position.

A child restraint placed in the rear center seating position would be secured at the top by the top tether and at the bottom by the current center lap belt. The petitioners also requested that child restraint manufacturers be required to provide new child restraint system designs compatible with both (1) the petitioners' requested UCRA system (used alone), and (2) existing vehicle seat belt systems (used alone).

To achieve these ends, the joint U.S./Japanese industry petitioners recommended a UCRA system that consists of two lower anchorages near the bight line and an upper tether anchorage. The lower anchorages would utilize a standard non-proprietary ''anchorage latch plate'' geometry compatible with a small, easy-to-use buckle as well as existing tether hooks, and the upper tether anchorage would be compatible with tether hooks.

The joint U.S./Japanese industry petitioners believed that the combination of three specific factory installed anchorages at two designated seating positions, along with compatible child restraint systems would: (1) provide additional protection for add-on child restraint system occupants when compared to child restraint systems secured with existing vehicle belts, and (2) promote higher child restraint use rates by enhancing the confidence of the person installing a child restraint system that the system is securely fastened.

D. European Industry Hybrid System

As a refinement of the ISOFIX four-point rigid system, several European ISO manufacturer members are currently developing a hybrid system. The system consists of two lower attachment points located in the seat bight and an upper attachment point located behind the vehicle seat back. A child restraint system could be attached to the two lower attachment points by means of either a buckle or the ISOFIX connector. The object of this option is to achieve worldwide compatibility between the UCRA and ISOFIX types of connectors. The upper anchorage for the tether anchorage on the vehicle and the tether hook on the child restraint would be optional depending on national regulations. The specification of the tether on the child restraint and anchorage on the vehicle are the same as the UCRA system.

E. Cosco Petition For Additional Vehicle Lap Belt

On July 1, 1996, COSCO submitted a petition for rulemaking. COSCO acknowledged that both rigid and soft systems are technically feasible and produce good results in simulated crashes. However, it expressed concern that the adoption of any universal anchorage systems would significantly increase the average retail price of a convertible child restraint system from 40 percent to 300 percent. The petitioner believed that such a price increase would severely limit the availability and use of child restraint systems. COSCO further stated that child restraints secured with universal anchorage systems perform only marginally better in dynamic tests compared to current child restraint systems. The petitioner noted also that most consumers would not realize benefits from these improvements until a majority of vehicles were equipped with a universal attachment.

Based on these concerns, COSCO recommended that vehicle manufacturers be required to install a separate lap belt at or near of the bight of the rear center position and one rear outboard position in each vehicle having a second row of seats, and at least one in the front seat of vehicles lacking a rear seat. It believed such a requirement would be more cost effective, simpler and more quickly implemented. COSCO further requested that vehicle manufacturers be required to install a tether anchorage at each designated seating position equipped with the anticipated UCRA.

F. Summary of Solutions

The following table compares the various competing solutions to the problem of providing universal child restraint anchorages based on several attributes, including effectiveness, relative cost, and weight. The table also identifies notable advantages of each solution.

[4] Today's notice refers to this petition as the ''joint U.S./Japanese industry petition.''

UNIVERSAL CHILD RESTRAINT ANCHORAGE SYSTEMS

	ISOFIX 4-point rigid	CANFIX 2-point rigid & tether	UCRA 2-point soft & tether	HYBRID 2-point rigid/soft lower & tether	COSCO lap belt
Effectiveness—Crash Tests	High	High	High	Assumed to be similar to CANFIX & UCRA.	Assumed to be as good as or better than existing vehicle safety belts.
Incremental Child Restraint Cost Increase to Consumers [5].	$90–100	$50–$60	$20	$20 or $50–60	None.
Incremental Vehicle Cost Increase to Consumers.	$9	$8	$12	Unknown	$10.
Incremental Child Restraint Weight Increase [6].	5 to 8 pounds	3 to 5 pounds	4 to 5 pounds	3 to 5	None.
Other Advantages	Firm anchorage independent of vehicle seat/belt.	Tether provides added protection.	Familiar belt hardware.	Versatile & harmonization.	Simplicity & familiar belt hardware.

G. Consumer Surveys

Various surveys have been conducted to determine consumer acceptance and preference of alternative ISOFIX-type child restraint systems. User trials in Sweden, Germany and the United Kingdom found that the largest majority of parents preferred the four-point rigid ISOFIX system compared to current child restraint systems. The trials also found that the majority of parents correctly fitted the ISOFIX. In contrast, less than half of the parents surveyed correctly fitted the current child restraint systems. It should be noted that these user trials did not include the UCRA system which the joint U.S./Japanese industry petitioners have asked the agency to adopt. At the time of those trials, the UCRA system was not available.

In early 1996, General Motors and other manufacturers conducted two consumer clinics, one in the U.S. and a second in Japan. The surveys sought to determine consumer preference on alternative universal child restraint anchorage systems, including the four-point ISOFIX and variations of the UCRA system. As stated in the joint U.S./Japanese industry petition, the results of the clinics indicate that most participants preferred the UCRA system over the current child restraints and ISOFIX systems.

An ad hoc group of the ISO Working Group on child restraint systems is currently gathering information on the performance, cost, and public acceptance of the ISOFIX, CANFIX, UCRA and the Hybrid system.

Currently, the Insurance Corporation of British Columbia in Canada is sponsoring independent user trials to determine consumer preference regarding alternative universal child restraint anchorage systems. The trials will cover all options being considered by ISO, including the Hybrid system, if available.

IV. Public Workshop

A. Purposes

In an effort to narrow the array of competing solutions, NHTSA is holding a public workshop. The agency is holding a workshop instead of its typical, legislative type public meeting in order to facilitate the interactive exchange and development of ideas among the attending interested parties. NHTSA expects that those parties will include consumer and safety advocacy groups as well as vehicle and child restraint system manufacturers.

The specific purposes of the workshop are to—

- *Compare solutions.* Assess and discuss the relative merits, based on safety, cost, public acceptance and other factors, of various competing solutions to the problems associated with improving the compatibility between child restraint systems and vehicle seating positions and belt systems, increasing child restraint effectiveness, and increasing child restraint usage rates;
- *Assess prospects for single or compatible solutions.* Assess the prospects for the adoption in this country and elsewhere of a single regulatory solution or at least compatible regulatory solutions; and
- *Promote convergence.* Promote the convergence of those solutions.

NHTSA notes that in selecting the best solution, tradeoffs may have to be made among the various criteria in the matrix. For instance, the solution that performs best in safety tests might not be the solution with the highest level of consumer acceptance. If so, the solution that performs best in safety tests may not be the solution that offers, as a practical matter, the most safety benefits. The agency will examine the need to make such tradeoffs in developing its proposal.

NHTSA plans to rely on the information presented at the workshop to assist in developing a notice of proposed rulemaking (NPRM) that would propose requiring a universal child restraint anchorage system. The agency believes that any proposal to require a universal child restraint anchorage system should advance the following goals:

- Improve the compatibility between child restraint systems and vehicle seats and belt systems, thereby decreasing the potential that a child restraint is improperly installed;
- Ensure an adequate level of protection during crashes;
- Ensure correct child restraint system use by ensuring that the child restraint systems are convenient to install and use;
- Ensure that the child restraint systems and anchorages are cost effective; and
- Achieve international compatibility of child restraint performance requirements for uniform attachment points.

B. Procedural matters

October 9; morning. The morning of the first day will be devoted primarily to technical presentations. The rationale for each of the five solutions will be discussed by a representative or representatives of the parties which developed that solution. Those presentations should include, if possible, prototypes and other visual displays. Then there will be technical

[5] These costs are in addition to the costs associated with existing child restraints. Child restraints currently cost between $40 and $80.

[6] Child restraints currently weigh 10 to 15 pounds.

presentations by a representative or representatives of the experts who conducted the consumer acceptance studies mentioned in this document. The agency will contact the parties responsible for the alternative solutions and consumer acceptance studies to arrange these presentations.

Finally, procedures for encouraging an exchange of ideas during the interactive phase of the workshop will be discussed.

October 9; afternoon. The afternoon of the first day will be devoted to an interactive discussion among interested persons. Those persons interested in actively participating in this phase of the workshop should contact Dr. Mouchahoir not later than October 4. The agency will make available an agenda setting forth the sequence of issues to be discussed during the interactive phase. Persons wishing to make closing remarks on the afternoon of October 10 should contact Dr. Mouchahoir not later than the end of the session on October 9.

October 10; morning and beginning of afternoon. The interactive phase will continue.

October 10; latter part of afternoon. Beginning about mid-afternoon, any participant who wishes to do so may make closing remarks for a period not to exceed 10 minutes. If time permits, persons who have not requested time, but would like to make remarks, will be afforded the opportunity to do so.

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 workshop. Any person desiring assistance of auxiliary aids should contact Ms. Bernadette Millings, NHTSA Office of Crashworthiness Standards, telephone (202) 366–1740, no later than 10 days before the workshop. For any presentation that will include slides, motion pictures, or other visual aids, the presenters should bring at least one copy to the workshop so that NHTSA can readily include the material in the public record.

NHTSA will place a copy of any written statement in the docket for this notice. In addition, the agency will make a verbatim record of the public workshop and place a copy in the docket.

Participation in the workshop is not a prerequisite for the submission of written comments. NHTSA invites written comments from all interested parties. It is requested but not required that 10 copies be submitted.

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

All comments received before the close of business on the comment closing date indicated above will be considered. To the extent possible, comments filed after the closing date will also be considered. Comments will be available for inspection in the docket.

NHTSA will continue to file relevant information as it becomes available in the docket after the closing date. It is therefore recommended that interested persons continue to examine the docket for new material.

Those desiring to be notified upon receipt of their comments in the 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 57l

Imports, Motor vehicle safety, Motor vehicles.

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

Issued on: September 4, 1996.

L. Robert Shelton,

Acting Associate Administrator for Safety Performance Standards.

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