

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Part 199**

[Docket PS-150, Notice No. 6]

Control of Drug Use and Alcohol Misuse in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations Alcohol Misuse Prevention Program**AGENCY:** Research and Special Programs Administration (RSPA), DOT.**ACTION:** Notice of lower random drug testing rate.

SUMMARY: RSPA has received and evaluated the 1995 Management Information System (MIS) Data Collection forms for the drug testing of pipeline industry personnel. The RSPA determined that the random positive drug testing rate for pipeline industry for the period of January 1, 1995, through December 31, 1995, was 0.8 percent. Since this is the second year that data has been collected and the random positive rate for the second year is less than 1 percent, the random testing rate for RSPA is being reduced from 50 percent to 25 percent for calendar year 1997. This means that for calendar year 1997, the operator must randomly select a minimum 25 percent of their covered employees to be tested.

EFFECTIVE DATE: January 1, 1997, through December 31, 1997.**FOR FURTHER INFORMATION CONTACT:** Catrina M. Pavlik, Office of Pipeline Safety, Compliance and State Programs, (DPS-23), Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590, telephone (202) 366-6199.

SUPPLEMENTARY INFORMATION: In a final rule published on December 23, 1993 (58 FR 68257), RSPA announced that it would require operators of gas, hazardous liquid and carbon dioxide pipelines and liquefied natural gas facilities, who are subject to 49 CFR parts 192, 193, and 195, to implement, maintain, and submit an annual report on drug testing program data. Any operator with 51 or more covered employees must submit this information on an annual basis. Operators with 50 or fewer covered employees must maintain this information, and RSPA randomly selected 100 operators in this category to submit their data. The drug testing statistical data is essential for RSPA to analyze its current approach to deterring and detecting illegal drug abuse in the pipeline industry, and, as

appropriate, to plan a more efficient and effective approach. The data collected in 1995 was the second year that the data was submitted. Now that RSPA has received two consecutive years of MIS Data Collection forms and the positive random testing rate has been less than 1 percent industry-wide, RSPA announces that in accordance with § 199.11(c)(3) the minimum random drug testing rate is lowered to 25 percent of covered pipeline employees for the period of January 1, 1997, through December 31, 1997.

MIS reports must be submitted to the Office of Pipeline Safety, Research and Special Programs Administration, DPS-23, Room 2335, 400 7th Street SW., Washington, DC 20590, not later than March 15 of each calendar year. A notice of statistical data will be published in the future to report results of each calendar year's MIS Data Collection results. RSPA will also publish whether or not the random rate will be reduced or increased for the pipeline industry pursuant to § 199.11.

Issued in Washington, DC on November 21, 1996.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

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National Highway Traffic Safety Administration**49 CFR Part 571**

[Docket No. 74-14; Notice 103]

RIN 2127-AG14

Federal Motor Vehicle Safety Standards; Occupant Crash Protection**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.**ACTION:** Final rule.

SUMMARY: As one method of reducing the adverse effects of air bags, especially for children, NHTSA is requiring new, attention getting labels. This rule requires vehicles with air bags to bear three new warning labels. Two of the labels replace existing labels on the sun visor. The third is a temporary label on the dash. These new labels would not be required on vehicles having a "smart" passenger-side air bag, i.e., an air bag that would automatically shut off or adjust its deployment so as not to adversely affect children. This rule also requires rear-facing child seats to bear a new, enhanced warning label to replace the existing label. The labels will help reduce the adverse effects by increasing the number of people who read and

understand the message of the warning labels.

DATES: Effective Date: The amendments made in this rule are effective December 27, 1996.

Compliance Dates: Passenger cars, light trucks, and vans that are equipped with passenger air bags that do not qualify as "smart" air bags that are manufactured on or after February 25, 1997 must include the new, attention-getting labels specified in this rule.

Child restraint systems that can be used in a rear-facing position and are manufactured on or after May 27, 1997 must include the new, attention-getting label specified in this rule.

Manufacturers may voluntarily substitute the new labels for the currently required labels prior to these dates.

Petition Date: Any petitions for reconsideration must be received by NHTSA no later than January 13, 1997.

ADDRESSES: Any petitions for reconsideration should refer to the docket and notice number of this notice and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590:

For non-legal issues: Mary Versailles, Office of Safety Performance Standards, NPS-31, telephone (202) 366-2057, facsimile (202) 366-4329, electronic mail "mversailles@nhtsa.dot.gov".

For legal issues: J. Edward Glancy, Office of Chief Counsel, NCC-20, telephone (202) 366-2992, facsimile (202) 366-3820, electronic mail "eglancy@nhtsa.dot.gov".

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