

“church bus” in accordance with Ohio Revised Code 4503.07, and used to transport members to and from church services or functions, to submit an application for the registration of such buses to the Bureau of Motor Vehicles. As part of the annual registration application, the church must include a certificate from the State Highway Patrol as proof that the bus has been inspected and is safe for operation in accordance with the standards prescribed by the Superintendent of the State Highway Patrol. The inspections are performed by the State Highway Patrol at State facilities or the bus owner's garage.

The FHWA has determined that the Ohio church bus inspection program in effect as of March 31, 1997, is comparable to, or as effective as, the Federal PI requirements. Therefore, private motor carriers of passengers operating buses which are subject to the State's program and which are subject to the FMCSRs must use the State's program to satisfy the Federal PI requirements.

It should be noted that in accepting the State's PI program, the FHWA also accepts the recordkeeping requirements associated with the inspection program. The inspection report used to record the inspection is a two-part form. If the vehicle passes the inspection, the bottom portion of the form is given to the bus operator to submit to the Bureau of Motor Vehicles as part of the application for vehicle registration (e.g., purchasing the annual church bus license plate). The top portion of the inspection report is maintained by the State Highway Patrol. The State church bus license plate (with a current validation sticker) is considered by the FHWA as satisfying the Federal requirement for proof of inspection on the CMV.

#### States With Equivalent Periodic Inspection Programs

The following is a complete list of States with inspection programs which the FHWA has determined are comparable to, or as effective as, the Federal PI requirements:

Alabama (LPG Board)  
Arkansas  
California  
Connecticut  
District of Columbia  
Hawaii  
Illinois  
Louisiana  
Maine  
Maryland  
Michigan  
Minnesota  
New Hampshire  
New Jersey

New York  
Ohio  
Oklahoma  
Pennsylvania  
Rhode Island  
Texas  
Utah  
Vermont  
Virginia  
West Virginia  
Wisconsin

In addition to the States listed above, the FHWA has determined that the inspection programs of the 10 Canadian Provinces and the Yukon Territory are comparable to, or as effective as, the Federal PI requirements. All other States either have no PI programs for CMVs, or their PI programs have not been determined by the FHWA to be comparable to, or as effective as, the Federal PI requirements. Should any of these States wish to establish a program or modify their programs in order to make them comparable to the Federal requirements, the State should contact the appropriate FHWA regional office listed in 49 CFR 390.27.

#### Closing of FHWA Docket MC-89-10, FHWA-97-2195

This notice officially closes FHWA Docket MC-89-10, FHWA-97-2195. The docket was opened on March 16, 1989, to solicit information and public comment on State inspection programs. Since the original list of State programs was published on December 8, 1989, information concerning additions to the list, including information about Canadian inspection programs, has been submitted directly to the Office of Motor Carriers by those jurisdictions. The agency believes interested parties know how to contact the FHWA by means other than the formal docket system and it is no longer necessary to keep the docket open.

**Authority:** 49 U.S.C. 31136, 31142, 31502, and 31504; 49 CFR 1.48.

Issued on: February 11, 1998.

**Kenneth R. Wykle,**

*Administrator, Federal Highway Administration.*

[FR Doc. 98-4173 Filed 2-18-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-98-3465; Not. 1]

#### Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

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

**ACTION:** Notice.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) will submit the following emergency processing public information collection requests (ICRS) to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). The NHTSA is publishing a notice in the **Federal Register**, informing the public of NHTSA's plan to submit to OMB Information collections for reinstatement, some with changes of previously approved collections for which approval has expired, under the emergency processing procedures, 5 CFR 1320.13. The titles descriptions, affected public, with burden estimates are shown below. Because OMB approval is valid for 180 days, NHTSA is taking appropriate steps to obtain a regular approval.

*Comments are invited on:* whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; the accuracy of the Agency's estimate of the burden of proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Comments on this notice must be received on or before April 20, 1998.

**ADDRESSES:** Comments on this notice must refer to the docket number and notice number in the heading of this notice and be submitted, preferably in two copies, to: US Department of Transportation Docket Management, PL-401, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are 10:00 a.m. to 5:00 p.m. Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael A. Robinson, NHTSA, Information Specialist, Office of Technical Information Services, Room

5110, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, Telephone: (202)366-9456.

**SUPPLEMENTARY INFORMATION:**

**National Highway Traffic Safety Administration (NHTSA)**

(1) *Title:* 49 CFR Part 571.116, Motor Vehicle Brake Fluids.

*OMB Control Number:* 2127-0521.

*Affected Public:* Individuals or households.

*Abstract:* 49 U.S.C. 309111, 30112 and 30117 of the National Traffic and Motor Vehicle Safety Act of 1966, authorize the issuance of Federal Motor Vehicle Safety Standards (FMVSS). The agency in prescribing a FMVSS is to consider available relevant motor vehicle safety data and to consult with appropriate agencies and obtain safety comments/suggestions from the responsible counties, States, agencies, safety commissions, public and other safety related authorities. Further the Act mandates that in issuing any FMVSS the agency consider whether the standards will contribute to carry out the purpose of the Act. The Secretary is authorized to revoke such rules and regulations as he/she deems necessary to carry out this Act.

FMVSS No. 116 *Motor Vehicle Brake Fluids*, specific performance and design requirements for motor vehicle brake fluids and hydraulic system mineral oils. Section 5.2.2 specific labeling requirements for manufacturers and packagers of brake fluids as well as packagers of hydraulic system mineral oils. The information on the label of a container of motor vehicle brake fluid or hydraulic system mineral oil is necessary to insure the following: the contents of the container are clearly stated; these fluids are used for their intended purpose only; and the containers are properly disposed of when empty. Improper use or storage of these fluids could have dire consequences for the operations of vehicles or equipment in which they area used. This labeling information is used by motor vehicle owners, operators, and vehicle service facilities to aid in the proper selection of brake fluids and hydraulic system mineral oils for use in motor vehicles and hydraulic equipment, respectively.

*Estimated Annual Burden:* 7,680 hours.

*Number of Respondents:* 200.

(2) *Title:* 49 CAR Part 537—Automotive Fuel Economy Reports.

*OMB Control Number:* 2127-0019.

*Affected Public:* Business, Federal Government or other for-profit.

*Abstract:* 49 United States Code (U.S.C.)32907(a) requires a

manufacturer report to the Secretary of Transportation on whether the manufacturer will comply with an applicable average fuel economy standard under 49 U.S.C. 32902 of this title for the model year for which the report is made; the actions the manufacturer has taken or intends to take to comply with the standard; and other information the Secretary requires by regulation. To start this statutory requirement, the agency issued a regulation specifying the required content of the Automotive Fuel Economy Reports.

*Estimated Annual Burden:* 3,300 hours.

*Number of Respondents:* 20.

(3) *Title:* 49 CAR Section 571, 125-Warning Devices.

*OMB Control Number:* 2127-0506.

*Affected Public:* Business or other for-profit.

*Abstract:* 49 U.S.C. 30111, 30112 and 30117 (Appendix 1) of the National Traffic and Motor Vehicle Safety Act of 1966, authorizes the issuance of Federal Motor Vehicle Safety Standards (FMVSS). The Secretary is authorized to issue, amend, and revoke such rules and regulations as she/he deems necessary. Using this authority, the agency issued FMVSS No. 125, Warning Devices which applies to devices, without self contained energy sources, that are designed to be carried mandatorily in buses and trucks that have a gross vehicle weight rating (GVWR) greater than 10,000 pounds and voluntarily in other vehicles. These devices designed to be permanently affixed to the vehicle.

*Estimated Annual Burden:* 5.7 hours.

*Number of Respondents:* 3.

(4) *Title:* Replaceable Light Source Dimensional Information Collection, 49 CFR 54.

*OMB Control Number:* 2127-0563.

*Affected Public:* Business or other for-profit.

*Abstract:* Title 49 U.S.C. 322, 30111, 30115, 30117 and 30166, with delegation of authority at 49 CFR, 49 CFR 1.50, authorize the issuance of Federal Motor Vehicle Safety Standards (FMVSS) and the collection of data which supports their implementation. The agency, in prescribing an FMVSS, is to consider available relevant motor vehicle safety data, and to consult with other agencies as it deems appropriate. Further, the Title 49 U.S.C. mandates, that in issuing any FMVSS, the agency consider whether the standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed, and whether such standards will contribute to carrying out the purpose of Title 49

U.S.C. The Secretary is authorized to revoke such rules and regulations as deemed necessary to carry out this subchapter. Using this authority, the agency issued the initial FMVSS No. 108, Lamps, Reflective Devices, and Associated Equipment, specifying requirements for vehicle lighting for the purposes of reducing traffic accidents and their tragic result by providing adequate roadway illumination, improved a vehicle conspicuity, appropriate information transmission through signal lamps, in both day, night, and other conditions of reduced visibility. The standard has been amended numerous times in order to permit new headlighting designs. In recent years, the standard had become burdensome to bother regulators and regulated parties in the standard has not been able to fully accommodate the styling needs of motor vehicle designers, while at the same time assuring the safety on the highways. This resulted in numerous burdensome petitions for rulemaking to be submitted by the vehicle and lighting manufacturers to change the design restrictive language. The reason for this burden was that as originally adopted the standard was more equipment design oriented, rather than performance oriented. Recent amendments have helped to rectify this situation. The requirement for replaceable light source dimensional information has resulted in a further extension of that effort to make the standard more performance oriented, and reduce the burden of petitioning for amendments to the Standard. The standard now allows headlamp light sources (bulbs) that are specified in the standard as well as those listed in Part 564, to assure proper photometric performance upon replacement of the light sources upon failure of the original. The original manufacturer may be the same as that of the aftermarket replacement, consequently, headlamp bulbs regardless of where they are listed, are required to be standardized by inclusion of their interchangeability dimensions and other fit and photometric aspects, thus requiring all identical type bulbs to be manufactured to those pertinent interchangeability specifications. Implementation of Part 564 reduces the burden to manufacturers and user of new light sources by eliminating the 18 month petitioning process and substituting a 1 month agency review. Upon completion of the review, the new bulb's interchangeability information is listed in Part 564 and the new bulbs may be used 1 month later on new vehicles.

*Estimated Annual Burden:* 20.

*Number of Respondents:* 7.

(5) *Title:* Assigning DOT code Numbers to Glazing Material Manufacturers.

*OMB Control Number:* 2127-0038.

*Affected Public:* Business or other for-profit.

*Abstract:* Title 49, Chapter 30115 of the U.S. Code specifies that the Secretary of Transportation shall require every manufacturer or distributor of a motor vehicle or motor vehicle equipment to furnish the distributor or dealer at the time of delivery certification that each item of motor vehicle equipment conforms to all applicable Federal Motor Vehicle Safety Standards (FMVSS). Using this authority, the agency issued FMVSS No. 571.205, Glazing Materials. This standard specifies requirements for glazing materials for use in passengers cars, multipurpose passenger vehicle, trucks, buses, motorcycle, slide-in campers, and pickup covers designed to carry persons while in motion. Also, this standard specifies certification and marking of each piece of glazing materials. Certification for the items listed comes in the form of a label, tag or marking on the outside of the motor vehicle equipment and is permanently affixed and visible for the life of the motor vehicle equipment. The purpose of this standard is to aid in reducing injuries resulting from impact to glazing surfaces, and to ensure a necessary degree of transparency for driver visibility. Both glass and plastics are considered to be glazing materials which provide safety and minimize the possibility of occupants being thrown through the vehicle window in the event of an accident.

*Estimated Annual Burden:* 10.5 hours.

*Number of Respondents:* 21.

(6) *Title:* 49 CFR 571.218, Motorcycle Helmets (Labeling).

*OMB Control Number:* 2127-0518.

*Affected Public:* Federal, Local, State or Tribal Government, Business or other for-profit.

*Abstract:* The National Traffic and Motor Vehicle Safety statute at 49 U.S.C. Subchapter II Standards and Compliance, Sections 30111 and 30117 authorizes the issuance of Federal motor vehicle safety standards (FMVSS). The Secretary is authorized to issue, amend, and revoke such rules and regulations as he/she deems necessary. The Secretary is also authorized to require manufacturers to provide information to first purchasers of motor vehicles or motor vehicle equipment when the vehicle or equipment is purchased, in a printed matter placed in the vehicle or attached to or accompanying the

equipment. Using this authority, the agency issued the initial FMVSS No. 218, Motorcycle Helmets, in 1974. Motorcycle helmets are the devices used for protecting motorcyclists and other motor vehicle users in motor vehicle accidents. Federal Motor Vehicle Safety Standard No. 218 requires that each helmet shall be labeled permanently and legibly (S5.6), in a manner such that the label(s) can be read easily without removing padding or any other permanent part.

*Estimated Annual Burden:* 4,000 hours.

*Number of Respondents:* 24.

(7) *Title:* Consumer Complaint/Recall Audit Information.

*OMB Control Number:* 2127-0008.

*Affected Public:* Individuals or households.

*Abstract:* Chapter 301 of Title 49 of the United States Code (formerly the National Traffic and Motor Vehicle Safety Act, as amended (the Act)), the Secretary of Transportation is authorized to require manufacturers of motor vehicles and items of motor vehicle equipment to conduct owner notification and remedy, i.e., a recall campaign, when it has been determined that a safety defect exists in the performance, construction, components, or materials in motor vehicles and motor vehicle equipment. To make this determination, the National Highway Traffic Safety Administration (NHTSA) solicits information from vehicle owners which is used to identify and evaluate possible safety-related defects and provide the necessary evidence of the existence of such a defect. Under the Authority of Chapter 301 of Title 49 of the United States Code, the Secretary of Transportation is authorized to require manufacturers of motor vehicle and items of motor vehicle equipment which do not comply with the applicable motor vehicle safety standards or contains a defect that relates to motor vehicle safety to notify each owner that their vehicle contains a safety defect or noncompliance. Also, the manufacturer of each such motor vehicle or item of replacement equipment presented for remedy pursuant to such notification shall cause such defect or noncompliance to be remedied without charge. In the case of a motor vehicle presented for remedy pursuant to such notification, the manufacturer shall cause the vehicle to be remedied by whichever of the following means he elects: (1) By repairing such vehicle; (2) by replacing such motor vehicle without charge; or (3) by refunding the purchase price less depreciation. To ensure these objectives are being met, NHTSA audits recalls conducted by manufacturer.

These audits are performed on a randomly selected number of vehicle owners for verification and validation purposes.

*Estimated Annual Burden:* 36,380.

*Number of Respondents:* 239,000.

(8) *Title:* Voluntary Child Safety Seat Registration Form.

*OMB Control Number:* 2127-0576.

*Affected Public:* Individuals or households.

*Abstract:* Chapter 301 of Title 49 of the United States provides that if either NHTSA or a manufacturer determines that motor vehicles or items of motor vehicle equipment contain a defect that relates to motor vehicle safety or fail to comply with an applicable Federal Motor Vehicle Safety Standard, the manufacturer must notify owners and purchasers of the defect or noncompliance and must provide a remedy without charge. Pursuant to 49 CFR Part 577 Defects and noncompliance notification for equipment items, including child safety seats, must be sent by first class mail to the most recent purchaser known to the manufacturer. In the absence of a registration system, many owners of child safety seats are not notified of safety defects and noncompliance, since the manufacturer is not aware of their identities.

*Estimated Annual Burden:* 26 hours.

*Number of Respondents:* 1,200.

(9) *Title:* Drug Offender's License Suspension Certification.

*OMB Control Number:* 2127-0566.

*Affected Public:* State, Local or Tribal Government.

*Abstract:* Section 33 of the Department of Transportation (DOT) and Related Agencies Appropriations Act for FY 1991 amends 23 U.S.C. 104, and requires the withholding of certain Federal-aid highway funds from States that do not enact legislation requiring the revocation or suspension of an individual's driver's license upon conviction for any violation of the Controlled Substances Act or any drug offense. This notice proposes the violation of the Controlled Substances Act or any drug offense. This notice proposes the manner in which States certify that they are not subject to this withholding, and disposition of funds that are withheld.

*Estimated Annual Burden:* 260 hours.

*Number of Respondents:* 52.

(10) *Title:* Fatal Accident Reporting System (FARS).

*OMB Control Number:* 2127-0006.

*Affected Public:* State, Local or Tribal Government.

*Abstract:* Under both the Highway Safety Act of 1966 and the National

Traffic and Motor Vehicle Safety Act of 1966, the National Highway Traffic Safety Administration (NHTSA) has the responsibility to collect accident data that support the establishment and enforcement of motor vehicle regulations and highway safety programs. These regulations and programs are developed to reduce the severity of injury and the property damage associated with motor vehicle accidents. The Fatal Accident Reporting System (FARS) is in its twenty-third year of operation as a major system that acquires national fatality information directly from existing State files and documents. Since FARS is an on-going data acquisition system, reviews are conducted yearly to determine whether the data acquired are responsive to the total user population needs. The total user population includes Federal and State agencies and the private sector. Annual changes in the forms are minor in terms of operation and method of data acquisition, and do not affect the reporting burden of the respondent (State employees utilize existing State accident files). The changes usually involve clarification adjustments to aid statisticians in conducting more precise analyses and to remove potential ambiguity for the respondents. OMB Clearance 2127-0006 authorizes the four FARS data acquisition forms, 214, 214A, 214B, and 214C. This clearance expired December 31, 1995. An extension of this clearance to December 2000 is requested with this submission. Since changes are not introduced during an information acquisition period. Only minor changes to data element to remove ambiguities in the information requested are planned for the 1998 data collection year. Two data items, Death Certificate Number and Fatal Injury At Work, are not recorded on any FARS form but are electronically transmitted to the central FARS file. Any subsequent increases in burden will be due to an increase in the number of traffic accidents that may occur between 1996 and 2000 throughout the country.

*Estimated Annual Burden:* 77,400 hours.

*Number of Respondents:* 52.

(11) *Title:* Consolidated Labeling Requirements for Motor Vehicles (Except the VIN).

*OMB Control Number:* 2127-0512.

*Affected Public:* Business or for-profit.

*Abstract:* 49 U.S.C. 3011 authorizes the issuance of Federal Motor Vehicle Safety Standards (FMVSS) and regulations. The agency, in prescribing a FMVSS or regulation is to consider available relevant motor vehicle safety data, and consult with other agencies as

it deems appropriate. Further, the statute mandates that in issuing any FMVSS or regulation, the agency consider whether the standard or regulation is "reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed," and whether such a standard will contribute to carrying out the purpose of the Act. The Secretary is authorized to revoke such rules and regulations as he deems necessary to carry out this subchapter. Using this authority, the agency issued the following FMVSS and regulations, specifying labeling requirements to aid the agency in achieving many of its safety goals. FMVSS 105, 205, 209, and 567 are the standards the agency issued. Through FMVSS 105, this standard, under section 5.4 requiring labeling, each vehicle shall have a brake fluid warning statement in letters at least one-eighth of an inch high on the master cylinder reservoirs and located so as to be visible by direct view. FMVSS 205 requires manufacturer's distinctive trademark; manufacturer's DOT code number; Mode of glazing (alpha-numerical designation) and Type of glazing (there are currently 13 items of glazing ranging from plastic windows to bullet resistant windshields). In addition to requirements which apply to all glazing, certain specialty items such as standee windows in buses, roof openings and interior partitions made of plastic require that the manufacturer affix a removable label to each item. The label specifies cleaning instructions which will minimize the loss of transparency. Other information may be provided by the manufacturer but is not required. FMVSS 209-Seat belt Assemblies requires safety belts to be labeled with the year of manufacture, the; model and the name or trademark of the manufacturer (S4.5(j)). Additionally, replacement safety belts that for specific models of motor vehicles must have labels or accompanying instruction sheets to specify the applicable vehicle models and seating positions (S4.5(k)). All other replacement belts are required to be accompanied by an installation instruction sheet (S4.1(k)). Seat belt assemblies installed as original equipment in new motor vehicles need not be required to be labeled with position model information. This information is only useful if the assembly is removed with the intention of using the assembly as a replacement in another vehicle; this is not a common practice. 49 U.S.C. 30111 requires each manufacturer or distributor of motor

vehicle to furnish to the dealer or distributor of the vehicle a certification that the vehicle meets all applicable FMVSS. This certification is required by that provision to be in the form of a label permanently affixed to the vehicle. Under 49 U.S.C. 32504, vehicle manufacturers are directed to make a similar certification with regard to bumper standards. To implement this requirement, NHTSA issued 49 CFR Part 567. The agency's regulations establish form and content requirement for the certification labels.

*Estimated Annual Burden:* 71,095 hours.

*Number of Respondents:* 1214.

(12) *Title:* Compliance Labeling of Retroreflective Materials for Heavy Trailer Conspicuity.

*OMB Control Number:* 2127-0569.

*Affected Public:* Business or other for-profit.

*Abstract:* 49 U.S.C. 30111, 30112, and 30117 of the National Traffic and Motor Vehicle Safety Act of 1966 authorizes the issuance of Federal Motor Vehicle Safety Standards (FMVSS) and the collection of data which supports their implementation. The agency, in prescribing a FMVSS, is to consider available relevant motor vehicle safety data, and to consult with other agencies as it deems appropriate. Further, the Act mandates, that in issuing any FMVSS, the agency consider whether the standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed, and whether such standards will contribute to carrying out the purpose of the Act. The Secretary is authorized to promulgate such rules and regulations as deemed necessary to carry out this subchapter. Using this authority, the agency issued the initial FMVSS No. 108, Lamps, Reflective Devices, and Associated Equipment, specifying requirements for vehicle lighting for the purpose of improved vehicle conspicuity, appropriate information transmission through signal lamps, in both day, night, and other conditions of reduced visibility. The standard has been amended numerous times, and the subject amendment, which became effective on December 1, 1993, increases the conspicuity of large trailers would be reduced by about 15 percent if retroreflective material having certain essential properties is used to mark the trailers. The amendment requires the permanent marking of the letters DOT-C2, DOT-C3 or DOT-C4 at least 3mm high at regular intervals on retroreflective sheeting material having adequate performance to provide

effective trailer conspicuity. The high reflective brightness of the material and its ability to reflect light which strikes it at an angle are special properties required by the safety standard. The high brightness is required because the material must be effective even when it is dirty. One of the principal goals of the standard is to prevent crashes in which the side of the trailer is blocking the road and it is not sufficiently visible at night to fast traffic. Frequently, the side of the trailer is not perpendicular to approaching traffic and the conspicuity material must reflect light which strikes it at an angle in order to be effective. There exist many types of retroreflective material similar in appearance to the required materials but lacking in its requisite properties. The manufacturers of new trailers are required to certify that their products are equipped with retroreflective material complying with the requirements of the standard. The Federal Highway Administration Office of Motor Carrier Safety enforces this and other standards through roadside inspections of trucks. There is no practical field test for the performance requirements, and labeling is the only objective way of distinguishing truck conspicuity grade material from lower performance material. Without labeling, FHWA will not be able to enforce the performance requirements, and labeling is the only objective way of distinguishing truck conspicuity grade material from lower performance material. Without labeling, FHWA will not be able to enforce the performance requirements of the standard, and the compliance testing of new trailers will be complicated. Labeling is also important to small trailer manufacturers because it may help them to certify compliance. As a result of the comments to the NPRM, the agency decided to allow wider stripes of material of lower brightness than originally proposed as alternate means of providing the minimum safety performance. Therefore, the marking system serves the additional role of identifying the minimum stripe width required for the retroreflective brightness of the particular material. Since the difference between the brightness grades of suitable retroreflective conspicuity material is not obvious from inspection, the marking system is necessary for trailer manufacturers and repair shops to assure compliance and for FHWA to inspect trailers in use.

*Estimated Annual Burden:* 0 hours.

*Number of Respondents:* 3.

(13) *Title:* Names and Addresses of First Purchasers of Motor Vehicles.

*OMB Control Number:* 2127-0044.

*Affected Public:* Business or other for-profit.

*Abstract:* 49 U.S.C. 30117 Providing information to, and maintaining records on, purchasers at subparagraph (b) Maintaining purchaser records and procedures states in part: A manufacturer of a motor vehicle or tire (except a retreaded tire) shall maintain a record of the name and address of the first purchasers of each vehicle or tire it produces and, to the extent prescribed by regulations of the Secretary, shall maintain a record of the name and address of the first purchaser of replacement equipment (except a tire) that the manufacturer produces. This agency has no regulation specifying how the information is to be collected or maintained. When NHTSA's authorizing statute was enacted in 1966, Congress determined that an efficient recall of defective or noncomplying motor vehicles required the vehicle manufacturers to retain an accurate record of vehicle purchasers. By virtue of quick and easy access to this information, the manufacturer is able to quickly notify vehicle owners in the event of a recall. Experience with this statutory provision has shown that manufacturers have retained this information in a manner sufficient to enable them to expeditiously notify vehicle purchasers in case of a recall. Based on this experience, NHTSA has determined that no regulation is needed. Without this type of information readily available, manufacturers would either need to spend more time or money to notify purchasers of a recall.

*Estimated Annual Burden:* 950,000.

*Number of Respondents:* 19,000.

(14) *Title:* 49 CFR Part 566

Manufacturers' Identification.

*OMB Control Number:* 2127-0043.

*Affected Public:* Business or other for-profit.

*Abstract:* The National Highway Traffic Safety Administration's statute at 49 U.S.C. 30118 Notification of defects and noncompliance requires manufacturers to determine if the motor vehicle or item or replacement equipment contains a defect related to motor vehicle safety or fails to comply with an applicable Federal Motor Vehicle Safety Standard. Following such a determination, the manufacturer is required to notify the Secretary of Transportation, owners, purchasers and dealers of motor vehicles or replacement equipment, of the defect or noncompliance and to remedy the defect or noncompliance without charge to the owner. With this determination, NHTSA issued 49 CFR Part 566, Manufacturer Identification. Part 566

requires every manufacturer of motor vehicles and/or replacement equipment to file with the agency on a one time basis, the required information specified in Part 566.

*Estimated Annual Burden:* 25.

*Number of Respondents:* 100.

(15) *Title:* 49 CFR Part 556, Petitions for Inconsequentiality.

*OMB Control Number:* 2127-0045.

*Affected Public:* Business or other for-profit.

*Abstract:* The National Highway Traffic Safety Administration's statute at 49 U.S.C. 30113 General exemptions at subsection (b) Authority to exempt and procedures, authorizes the Secretary of Transportation upon application of a manufacturer, to exempt the applicant from the notice and remedy requirements of 49 U.S.C. Charter 301, if the Secretary determines that the defect or noncompliance is inconsequential as it relates to motor vehicle safety. The notice and remedy requirements of Chapter 301 are set forth in 49 U.S.C. 30120 Remedies for defects and noncompliance. Those section require a manufacturer of motor vehicles or motor vehicle equipment to notify distributors, dealers and purchasers if any of the manufacturer's products are determined either to contain a safety-related defect or to fail to comply with an applicable Federal motor vehicle safety standard. The manufacturer is under a concomitant obligation to remedy such defects or noncompliance. NHTSA exercised this statutory authority to excuse inconsequential defects or noncompliance when it promulgated 49 CFR Part 556, Petitions for Inconsequentiality—this regulation establishes the procedures for manufacturers to submit such petitions to the agency will use in evaluating those petitions. Part 556 allows the agency to ensure that petitions filed under 15 U.S.C. 30113(b) are both properly substantiated and efficiently processed.

*Estimated Annual Burden:* 30.

*Number of Respondents:* 15.

(16) *Title:* 49 CFR Part 573, Defect and Noncompliance Reports.

*OMB Control Number:* 2127-0004.

*Affected Public:* Business or other for-profit.

*Abstract:* NHTSA's statute at 49 U.S.C. sections 30112, and 30116-30121 requires the manufacturers of motor vehicles and motor vehicle equipment to recall and remedy their products that do not comply with applicable safety standards or contain a defect related to motor vehicle safety. The manufacturer must notify the Secretary of Transportation (through NHTSA),

owners, purchasers and dealers of its determination, and must remedy the defect or noncompliance. The notification must be furnished within a reasonable time after a determination is made with respect to defect or failure to comply. The manufacturer of each motor vehicle or item of replacement equipment presented for remedy shall make the remedy without charge. If a manufacturer fails to notify owners or purchasers within the period specified, the court may hold it liable under a civil penalty with respect to such failure.

The Secretary may hold hearings in which any interested person may make oral or written views on questions of whether a manufacturer has reasonably met its obligations to notify and remedy a defect or failure to comply, or the Secretary may place specific actions on the manufacturer to comply. The manufacturer shall furnish the Secretary with a true copy of all notices, bulletins, and other communications to the manufacturer's dealers, owners and purchasers regarding any defect or noncompliance in the manufacturer's vehicle or item of equipment. These statutes shall not create or affect any warranty obligations under State and Federal law. To implement this authority, NHTSA promulgated 49 CFR Part 573, Defect and Noncompliance Reports. This regulation sets out the following requirements: (1) Manufacturers are to include specific information in reports that must be filed with NHTSA within five working days of a determination of defect or noncompliance, pursuant to 49 U.S.C. 30118 and 30119; (2) Manufacturers are to submit quarterly reports to the agency on the progress of recall campaigns; (3) Manufacturers are to furnish copies to the agency of notices, bulletins, and other communications to dealers, owners, or purchasers regarding any defect or noncompliance, and; (4) Manufacturers are to retain records of owners or purchasers of their products that have been involved in a recall campaign.

*Estimated Annual Burden:* 6,300.  
*Number of Respondents:* 50.

(17) *Title:* Consolidated Labeling Requirements for 49 CFR 571.115, and Parts 565, 541 and 567.

*OMB Control Number:* 2127-0510.

*Affected Public:* Business or other for-profit.

*Abstract:* NHTSA's statute at 15 U.S.C. 1392, 1397, 1401, 1407, and 1412 (Attachment 3-9) of the National Traffic and Motor Vehicle Safety Act of 1966 authorizes the issuance of Federal Motor Vehicle Safety Standard (FMVSS) and the collection of data which support their implementation. The agency, in

prescribing a FMVSS, is to consider available relevant motor vehicle safety data and to consult with other agencies as it deems appropriate. Further, the Act mandates, that in issuing any FMVSS, the agency should consider whether the standard is reasonable, practicable and appropriate for the particular type of motor vehicle or item of motor vehicle equipment for which it is prescribed, and whether such standards will contribute to carrying out the purpose of the Act. The Secretary is authorized to revoke such rules and regulations as deemed necessary to carry out this subchapter. Using this authority, the agency issued the initial FMVSS No. 115, Vehicle Identification Number, specifying requirements for vehicle identification numbers to aid the agency in achieving many of its safety goals.

The standard was amended in August 1978 by extending its applicability to additional classes of motor vehicles and by specifying the use of a 30-year, 17-character Vehicle Identification Number (VIN) for worldwide use. The standard was amended in May 1983 (Attachment 8) by deleting portions of FMVSS No. 115 and reissuing those portions as a general agency regulation, Part 565. The provisions of these two regulations require vehicle manufacturers to assign a unique VIN to each new vehicle and to inform the National Highway Traffic Safety Administration (NHTSA) of the code used in forming the VIN. These regulations apply to all vehicles: passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, incomplete vehicles, and motorcycles. b. 49 CFR Parts 541 and 567.

#### Part 541

The Motor Vehicle Information and Cost Savings Act was amended by the Anti-Car Theft Act of 1992 (Pub.L. 102-519). The enacted Theft Act states that passenger motor vehicles, multipurpose passenger vehicles, and light-duty trucks with a gross vehicle weight rating of 6,000 pounds or less be covered under the Theft Prevention Standard. Each major component part must be either labeled or affixed with the VIN and for the replacement component part it must be marked with the DOT symbol, the letter (R) and the manufacturers' logo.

#### Part 567

The VIN is required to appear on the certification label.

*Estimated Annual Burden:* 376,591.

*Number of Respondents:* 1,000.

Issued on: February 12, 1998.

**Herman L. Simms,**

*Associate Administrator.*

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BILLING CODE 4910-59-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[TD 8223, TD 8432, and TD 8657]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning existing final and temporary regulations, TD 8223, Branch Tax; TD 8432, Branch Profits Tax; and TD 8657, Regulations on Effectively Connected Income and the Branch Profits Tax (§§ 1.884-1, 1.884-2, 1.884-2T, 1.884-4, 1.884-5).

**DATES:** Written comments should be received on or before April 20, 1998 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Carol Savage, (202) 622-3945, Internal Revenue Service, room 5569, 1111 Constitution Avenue NW., Washington, DC 20224.

#### SUPPLEMENTARY INFORMATION:

*Title:* TD 8223, Branch Tax; TD 8432, Branch Profits Tax; and TD 8657, Regulations on Effectively Connected Income and the Branch Profits Tax.

*OMB Number:* 1545-1070.

*Regulation Project Number:* TD 8223, TD 8432, and TD 8657.

*Abstract:* These regulations provide guidance on how to comply with Internal Revenue Code section 884, which imposes a tax on the earnings of a foreign corporation's branch that are removed from the branch and which subjects interest paid by the branch, and