remedy and recall provisions of the Motor Vehicle Safety Act in this case.

We have reviewed GM's arguments. The primary safety purpose of labeling requirements in FMVSS No. 303 is to ensure that the vehicle owner is aware (1) of the service pressure during refueling operations and (2) that the CNG fuel container has a recommended inspection period and a service life. NHTSA concludes that the labels and owner's manual supplement information provided with these vehicles are consistent with the rationale and intent of the labeling requirements in FMVSS No. 303, even though the exact words required by the standard are not used.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance described above is inconsequential to motor vehicle safety. Accordingly, its application is granted, and the applicant is exempted from providing the notification of the noncompliance that is required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

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

Issued on: December 1, 1999.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 99–31618 Filed 12–6–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Research and Development Programs Meeting

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: This notice announces and provides the agenda for a public meeting at which the National Highway Traffic Safety Administration (NHTSA) will describe and discuss specific research and development projects.

DATES AND TIMES: The National Highway Traffic Safety Administration will hold a public meeting devoted primarily to presentations of specific research and development projects on December 16, 1999, beginning at 1:30 p.m. and ending at approximately 4:30 p.m. Questions may be submitted in advance regarding the agency's research and development projects. They must be submitted in writing by December 9, 1999, to the mailing address, E-mail address, or fax number given below. If sufficient time is available, questions received after the December 9 date will be answered at the meeting during the discussion period. The individual, group, or company asking a question does not have to be present for the question to be answered. A consolidated list of answers to questions submitted by December 9 will be available at the meeting and will be mailed to requesters after the meeting.

ADDRESSES: The meeting will be held at the Tysons Westpark Hotel, 8401 Westpark Drive, McLean, Virginia. Questions for the December 16, 1999, meeting relating to the agency's research and development programs should be submitted to the Office of the Associate Administrator for Research and Development, NRD–01, National Highway Traffic Safety Administration, Room 6206, 400 Seventh St., SW., Washington, DC 20590. The fax number is (202) 366–5930.

SUPPLEMENTARY INFORMATION: In recent years, since April 1993, NHTSA has provided detailed information about its research and development programs in presentations at a series of public meetings. The purpose is to make available more complete and timely information regarding the agency's research and development programs. This is the twenty-fourth meeting in that series, and it will be held on December 16, 1999, at the Tysons Westpark Hotel, 8401 Westpark Drive, McLean, Virginia.

Beginning at 1:30 p.m. and concluding by 4:30 p.m., NHTSA's Office of Research and Development will discuss the following topics:

(1) Fiscal Year 2000 Office of Research and Development Research Priorities;

(2) Partnership for a New Generation of Vehicles (PNGV) Safety—Overview of Status;

(3) International Harmonized Research Activities (IHRA) Process Overview

NHTSA has based its decisions about the agenda, in part, on the suggestions it received for the public meeting scheduled for September 16, 1999, which was canceled due to inclement weather. In addition, questions submitted for the September 16 meeting will be answered at the December 16 meeting.

Additionally, if any interested parties would like to make a presentation regarding technical issues concerning any of NHTSA's research programs, information concerning the proposed topic and speaker should be submitted in writing by 5:00 p.m. on December 9, 1999.

Any questions regarding research projects that have been submitted in writing not later than 5:00 p.m. on December 9, 1999, will be answered at the public meeting. The summary minutes of the meeting, copies of materials handed out at the meeting, and answers to the questions submitted for response at the meeting will be available for public inspection in the DOT Docket in Washington, DC, within 3 weeks after the meeting. Copies of this material will then be available at ten cents a page upon request to DOT Docket, Room PL–401, 400 Seventh Street, S.W., Washington, DC 20590. The DOT Docket is open to the public from 10:00 a.m. to 5:00 p.m. The summary minutes, handouts, and answers to the previously submitted questions will also be available on NHTSA's Web site at Announcements/Public Meetings at URL http://www.nhtsa.dot.gov/nhtsa/announce/meetings/.

NHTSA will provide technical aids to participants as necessary, during the Research and Development Programs Meeting. Thus, any person desiring the assistance of ''auxiliary aids'' (e.g., sign-language interpreter, telecommunication devices for deaf persons (TTDs), readers, taped texts, braille materials, or large print materials and/or a magnifying device), please contact Rita Gibbons by telephone on (202) 366–4862, by telefax on (202) 366–5930, or by E-mail at rgibbons@nhtsa.dot.gov by 5:00 p.m. December 9, 1999.

Should it be necessary to cancel the meeting due to inclement weather or to any another emergencies, a decision to cancel will be made as soon as possible and posted immediately on NHTSA's Web site at Announcements/Public Meetings at URL http://www.nhtsa.dot.gov/nhtsa/announcements/meetings/. If you do not have access to the Web site, you may call for information at the contact listed below and leave your telephone or telefax number. You will be called only if the meeting is postponed or canceled.

FOR FURTHER INFORMATION CONTACT: Rita Gibbons, Staff Assistant, Office of Research and Development, 400 Seventh Street, S.W., Washington, DC 20590. Telephone: (202) 366–4862. Fax number: (202) 366–5930. E-mail: rgibbons@nhtsa.dot.gov.

Issued: November 30, 1999.

Raymond P. Owings,

Associate Administrator for Research and Development.

[FR Doc. 99–31647 Filed 12–6–99; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–99–5800; Notice 2]

Cosco, Inc.; Denial of Application for Decision of Inconsequential Noncompliance

Cosco, Incorporated, of Columbus, Indiana, has determined that a number of child restraint systems that it manufactured fail to comply with 49 CFR 571.213, Federal Motor Vehicle Safety Standard (FMVSS) No. 213, ''Child Restraint Systems,'' and has filed an appropriate report pursuant to 49 CFR Part 573, ''Defects and Noncompliance Reports.'' Cosco has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published in the **Federal Register** on June 16, 1999 (64 FR 32303), with a 30-day comment period. We received no comments.

FMVSS No. 213, S5.5.2(k), requires that each add-on child restraint system designed to be used rear facing must have a label that warns the consumer not to place the rear-facing child restraint system in the front seat of a vehicle that has a passenger side air bag. In the case of each child restraint system that can be used in a rear-facing position and is manufactured on or after May 27, 1997, this label must be permanently affixed to the outer surface of the cushion or padding in or adjacent to the area where a child's head would rest, so that the label is plainly visible and readable. The text portion of this label consists of a heading reading ''WARNING'', with the following messages under that heading:

DO NOT place rear-facing child seat on front seat with air bag.

DEATH OR SERIOUS INJURY can occur.

The back seat is the safest place for children 12 and under.

Opposite the text, the warning label has a pictogram showing an inflating air bag striking a rear-facing child seat, surrounded by a red circle with a slash across it. The label must also conform to size and color requirements specified in S5.5.2(k)(4)(i) through S5.5.2(k)(4)(iii).

Cosco has notified us that between March 31, 1999 and April 7, 1999, it manufactured 815 Arriva Infant Child Restraints, Model 02–729–TED, that do not have the air bag warning label required by S5.5.2(k) of FMVSS No. 213. During this time period, one of the production lines used by Cosco to produce the Arriva model used pads for the Canadian version of this child restraint which do not incorporate the air bag warning label required by FMVSS No. 213.

Cosco supports its application for inconsequential noncompliance with the following:

> Cosco contends this noncompliance is inconsequential as it relates to motor vehicle safety. A notice and remedy campaign (''recall'') would not serve any safety related purpose and would in fact, cast doubt in the minds of the consumer as to the effectiveness of child restraints. We believe the low number of units involved (815) combined with the enormous publicity given to the warning label issue, rear-facing seats in air bag locations, and given the fact the instructions and unit labels do warn to the consumer about this misuse do not warrant a recall.
>
> To reiterate, Cosco does not believe this noncompliance warrants a recall. The Agency, child restraint manufacturers and child passenger safety advocates are all aware of the negative impacts of recalls resulting from technical noncompliance. The two primary negative effects are, the public, because of the number and frequency of such recalls, pays no attention to recalls that in fact do in a practical way affect child passenger safety. In addition, the public upon seeing the number of recalls, concludes child restraints currently available are unsafe and therefore declines to use them. The Agency is aware and, in fact, has publicly advised consumers to use child restraints which have defects or noncompliances that have resulted in recalls until such child restraints can be corrected. This is in recognition of the fact that technical noncompliance does not compromise the overall effectiveness of child restraints. In the event a recall is ordered for the noncompliance which has been identified, both of the effects described will impact consumers negatively.
>
> In conclusion, Cosco submits reasonable evaluation of the facts surrounding this technical noncompliance will result in the decision that no practical safety issue exists.

We are denying Cosco's application for the following reasons.

We would like to begin by addressing a statement made by Cosco in its application. Cosco states that:

> The public, upon seeing the number of recalls, concludes that child restraints currently available are unsafe and therefore declines to use them. The agency is aware and, in fact, has publicly advised consumers to use child restraints which have defects or noncompliances that have resulted in recalls until such child restraints can be corrected. This is in recognition of the fact that technical noncompliance does not compromise the overall effectiveness of child restraints.

It is correct that we generally advise consumers to continue using child restraints which have identified defects or noncompliances until such a time when the appropriate remedy can be effected. *However,* this is in recognition that—in most cases—use of a child restraint with an identified defect or noncompliance is safer than the alternatives of (a) restraining the young child with a vehicle belt system that does not fit properly, or (b) not restraining the child at all. In the absence of a grant of an inconsequentiality petition, we have never stated, nor implied, that a noncompliance—''technical'' or otherwise—does not compromise the safety or effectiveness of child restraints.

Further, in an issue as critical to safety as air bags and infant seating, Cosco's failure to comply with the requirements of FMVSS No. 213 by not incorporating the air bag warning label required in S5.5.2(k) should not be excused. The requirements addressing warning labels, printed instructions, and information in the vehicle owner's manual pertaining to air bags and child restraints are necessary to maximize the safety of infants and young children traveling in motor vehicles equipped with air bags. Each of these warnings was developed with care to ensure that the specific content and location of the labels and instructions clearly and concisely convey the hazards of placing rear-facing child restraints in air bag-equipped seating positions.[1] We have also worked very closely with both vehicle and child restraint manufacturers and others in the child passenger safety community to reduce the likelihood that a rear-facing infant restraint would be placed in a vehicle seating position that has an air bag. Through media advisories, consumer information fact sheets, and other means, the entire child passenger safety community has taken measures to educate the public regarding the detrimental effects of an air bag when it

[1] FMVSS No. 213 has required rear-facing child restraints to be labeled with an air bag warning since August 1994 (59 FR 7643). The labeling requirement was revised in 1996 (61 FR 60206) to require an enhanced and much more prominent warning on a distinct label. Among other features, the enhanced label includes eye-catching headings and an easy to comprehend symbol. The label must also be located where the child's head rests. The enhanced label has been required since May 1997.