

locking retractor that will not meet the 0.7 g locking requirements of the standard.

GM requested exemption from the notice and remedy requirement of the 49 U.S.C. 30118(d) and 49 U.S.C. 30120(h), because it believes this noncompliance is inconsequential to motor vehicle safety.

S4.3(j)(1) of FMVSS No. 209 requires that an emergency locking retractor of a Type 1 or Type 2 safety belt assembly "shall lock before the webbing extends 25 mm when the retractor is subjected to an acceleration of 7 m/s² (0.7 g)."

Some of the retractors in question exhibit, to a varying degree, plastic flash (burr) on the sensor lever near the pivot where it mates to the sensor housing. This flash can cause a nonconformance with the 0.7 g locking requirement due to potential increased drag of the sensor lever in the housing.

Supporting Information as Submitted by General Motors

GM reported the following analysis to support the petition.

GM and its safety belt supplier located retractors from the same build period (weeks 6–32 of 1999) as the subject retractors in order to perform testing to investigate this matter. A total of 1,392 retractors from this build period were obtained and tested. Of these, only 50 (3.5%) did not lock when tested in each of four directions at 0.6 g (the GM test specification level). Only 10 of those (0.72% of the 1,392 total) did not lock when tested 10 times in each of four directions at 0.7 g. Based on this testing, only a very small portion of the subject retractors is expected to not meet the 0.7 g requirement.

Additionally, GM compared the 0.7 g retractor locking requirement to (1) the onset of significant shoulder belt loading in S/T truck crash tests and (2) the calculated side-pull coefficient often used to help assess rollover propensity. These collision types represent circumstances where the safety belt certainly provides important safety benefits. The crash test analysis indicates retractor locking still occurs prior to any significant safety belt loading or motion of the occupant relative to the belt. The rollover analysis indicates that safety belt retractor lock-up will occur prior to rollover of these subject vehicles.

Finally, as a result of tests performed on the small quantity (10) of questionable retractors that were available, GM also has determined that the simulation of the jouncing and jostling that vehicles are subject to during transit to dealerships, either by rail or truck (haulaway), generally reduces the effect of the flash such that a large percentage of the noncompliant vehicles become compliant prior to transit completion. In the case of rail transit, we estimate noncompliant retractors to become compliant after four hours of transit. Almost all vehicles shipped by rail travel more than four hours. In the case of simulated haulaway transit, six of nine noncompliant retractors were compliant

after three hours of transit (approximately 150 miles), and seven of nine were compliant after six hours of transit (approximately 300 miles). Approximately 90% of all S/T trucks shipped by haulaway travel more than three hours.

Accordingly, the already small number of potentially noncompliant retractors will be further reduced by the time they arrive at the dealership. For the reasons outlined above, GM believes that this noncompliance is inconsequential to motor vehicle safety. Accordingly GM petitions that it be exempt from the remedy and recall provision of the Motor Vehicle Safety Act in this case.

Interested persons are invited to submit written data, views and arguments on the petition of GM, described above. Comments should refer to the Docket Number and be submitted to: Docket Management, National Highway Traffic Safety Administration, Room PL 401, 400 7th Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent practicable. When the application is granted or denied, a Notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: May 25, 2000.

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

Issued on: April 19, 2000.

Stephen R. Kratzke,
Associate Administrator for Safety Performance Standards.

[FR Doc. 00–10246 Filed 4–24–00; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2000–7164; Notice 1]

Suzuki Motor Corp.; Receipt of Application for Decision of Inconsequential Noncompliance

Suzuki Motor Corporation of Hamamatsu, Japan, has determined that 1,595 vehicles fail to comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 225, "Child Restraint Anchorage Systems," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Suzuki 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.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

FMVSS No. 225, S4.1, requires that:

Each tether anchorage and each child restraint anchorage system installed, either voluntarily or pursuant to this standard, in any new vehicle manufactured on or after September 1, 1999, shall comply with the configuration, location, marking and strength requirements of this standard. The vehicle shall be delivered with written information, in English, on how to appropriately use those anchorages and systems.

FMVSS No. 225, S12, requires that:

The vehicle must provide written instructions, in English, for using the tether anchorages and the child restraint anchorage system in the vehicle. If the vehicle has an owner's manual, the instructions must be in that manual. The instructions shall:

(a) Indicate which seating positions in the vehicle are equipped with tether anchorages and child restraint anchorage systems;

(b) In the case of vehicles required to be marked as specified in paragraphs S4.1, S9.5(a), or S15.4, explain the meaning of markings provided to locate the lower anchorages of child restraint anchorage systems; and

(c) Include instructions that provide a step-by-step procedure, including diagrams, for properly attaching a child restraint system's tether strap to the tether anchorages.

At the start of production for the 2000 model year, Suzuki began installing user-ready tether anchorages as standard equipment in Suzuki Swift vehicles. Due to an oversight, however, Suzuki neglected to update the Suzuki Swift owner's manual in conjunction with this production change. As a result, the owner's manual for 1,595 Suzuki Swift vehicles manufactured between August 1999 and February 2000, and shipped prior to March 2000 do not comply with the information requirements in FMVSS No. 225.

Suzuki supports its application for inconsequential noncompliance with the following:

The vehicle owner's manual for the subject Suzuki Swift vehicles contains the following text relating to the use of child restraint systems that require use of a top tether:

"Some child restraint systems require the use of a top strap. If you use such a restraint system and your vehicle is not equipped with the top tether strap anchor bracket, have your dealer install the top strap anchor bracket, or contact your dealer for instructions on how to install the anchor bracket."

In addition to the text message, the owner's manual contains two illustrations (one for the hatchback model and one for the sedan model) showing a child restraint system

positioned at one of the rear seating positions, with its tether strap attached to the tether anchorage.

Although the Swift owner's manual does not mention that user-ready tether anchorages are provided as standard equipment and does not show all of the seating positions that are equipped with a tether anchorage, the illustrations in the manual do show the tether anchorage location for one of the rear seating positions. Suzuki believes that vehicle owners will assume, based on the illustrations, that anchorages are provided for both rear seating positions. In addition, when you look at the actual vehicle, it is obvious that user-ready anchorages are provided as standard equipment for both rear seating positions. Since the tether anchorages are easily recognizable in the vehicle, Suzuki believes that failure to fully illustrate the location of each tether anchorage in the vehicle owner's manual is inconsequential.

The Swift owner's manual also does not fully comply with the requirement for "...provide a step-by-step procedure, including diagrams, for properly attaching a child restraint system to the tether anchorages...". Typically, because there are differences in child restraint system design, the vehicle owner's manual can only provide general instructions to hook the tether strap hook into the anchor bracket and tighten the tether strap. These steps are somewhat obvious, and should be intuitively understood by vehicle owners.

Also, each child restraint system is required to be accompanied with its own installation instructions. S5.6.1 of FMVSS No. 213, Child Restraint Systems, requires that each child restraint system "...must be accompanied by printed installation instructions in the English language that provide a step-by-step procedure, including diagrams, for installing the system in motor vehicles...". Suzuki believes that vehicle owners rely on the installation instructions provided with the child restraint system, rather than those provided in the vehicle owner's manual, for information about how to install the child restraint system in their vehicle. As a result, Suzuki believes that failure to provide a step-by-step procedure, in the vehicle owner's manual, for attaching a child restraint system to the vehicle's tether anchorages is inconsequential to safety.

Interested persons are invited to submit written data, views, and arguments on the application of Suzuki described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested, but not required, that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or

denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: May 25, 2000.

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

Issued on: April 19, 2000.

Stephen R. Kratzke,

Associate Administrator for Safety Performance Standards.

[FR Doc. 00-10245 Filed 4-24-00; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Vehicle Theft Prevention Standard; Ford

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

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the petition of Ford Motor Company (Ford) for an exemption of a high-theft line, the Mercury Sable, from the parts-marking requirements of the Federal Motor Vehicle Theft Prevention Standard. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard.

DATES: The exemption granted by this notice is effective beginning with model year (MY) 2001.

FOR FURTHER INFORMATION CONTACT: Ms. Rosalind Proctor, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, S.W., Washington DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2290.

SUPPLEMENTARY INFORMATION: In a petition dated December 13, 1999, Ford requested an exemption from the parts marking requirements of the Theft Prevention Standard (49 CFR Part 541) for the Mercury Sable vehicle line beginning in MY 2001. The petition is pursuant to 49 CFR Part 543, Exemption From Vehicle Theft Prevention Standard, which provides for exemptions based on the installation of an antitheft device as standard equipment for the entire line.

Review of Ford's petition disclosed that certain information was not provided in its original petition.

Consequently, by telephone call on February 28 and March 15, 2000, Ford was informed of its areas of deficiency. Subsequently on February 28 and March 17, 2000, Ford submitted its supplemental information addressing these deficiencies. Ford's February 28 and March 17, 2000 faxes together constitute a complete petition, as required by 49 CFR Part 543.7, in that it met the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

In its petition, Ford provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the new line. Ford will install its antitheft device, the SecuriLock Passive Anti-Theft Electronic Engine Immobilizer System (SecuriLock) as standard equipment on the MY 2001 Mercury Sable. The system has already been installed as standard equipment on its MY 2000 Sable.

In order to ensure the reliability and durability of the device, Ford conducted tests, based on its own specified standards. Ford provided a detailed list of the tests conducted and stated its belief that the device is reliable and durable since it complied with Ford's specified requirements for each test. The environmental and functional tests conducted were for thermal shock, high temperature exposure, low-temperature exposure, powered/thermal cycle, temperature/humidity cycling, constant humidity, end-of-line, functional, random vibration, tri-temperature parametric, bench drop, transmit current, lead/lock strength/integrity, output frequency, resistance to solvents, output field strength, dust, and electromagnetic compatibility. Ford requested confidential treatment for some of the information and attachments submitted in support of its petition. In a letter to Ford dated August 4, 1998, the agency granted its request for confidential treatment of certain aspects of its petition.

The Ford SecuriLock is a transponder-based electronic immobilizer system. The device is activated when the driver/operator turns off the engine by using the properly coded ignition key. When the ignition key is turned to the start position, the transponder (located in the head of the key) transmits a code to the powertrain's electronic control module. The vehicle's engine can only be started if the transponder code matches the code previously programmed into the powertrain's electronic control module. If the code does not match, the engine will be disabled. Ford stated that there are seventy-two quadrillion different codes and each transponder is hard-