

June 24, 1997. A Task Force on engineering issues was established by the Working Group on Locomotive Crashworthiness to review collision history and design options and additional research was commissioned. The Working Group reviewed results of the research and is drafting performance-based standards for freight and passenger locomotives to present to the RSAC for consideration. Review of collision data for use in the regulatory evaluation was completed in September. Contact: Sean Mehrvazi (202) 493-6237.

Task 97-2—Evaluating the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect the crew's health and the safe operation of locomotives, proposing standards where appropriate. This Task was accepted June 24, 1997. A draft sanitation NPRM has been circulated for approval of working group, with ballots requested by November 3. The Cab Working Group met in October to begin finalizing work on a noise exposure standard and will be meeting in November to complete a draft NPRM. The Cab Working Group has also considered issues related to cab temperature, and is expected to consider additional issues (such as vibration) in the future. Contact: Brenda Hattery (202) 493-6326.

Task 97-3—Developing event recorder data survivability standards. This Task was accepted on June 24, 1997. An Event Recorder Working Group and Task Force have been established and are actively meeting. A draft proposed rule is being reviewed. Contact: Edward English (202) 493-6321.

Task 97-4 and Task 97-5—Defining Positive Train Control (PTC) functionalities, describing available technologies, evaluating costs and benefits of potential systems, and considering implementation opportunities and challenges, including demonstration and deployment.

Task 97-6—Revising various regulations to address the safety implications of processor-based signal and train control technologies, including communications-based operating systems. These three tasks were accepted on September 30, 1997, and assigned to a single Working Group. A Data and Implementation Task Force, formed to address issues such as assessment of costs and benefits and technical readiness, completed a report on the future of PTC systems. The report was accepted as RSAC's Report to the Administrator at the September 8, 1999, meeting. The Standards Task Force, formed to develop PTC standards, developed draft recommendations for

performance-based standards for processor-based signal and train control standards. The NPRM was approved by consensus at the full RSAC meeting held on September 14, 2000. The NPRM will be published in the **Federal Register**. Contact: Grady Cothen (202) 493-6302.

Task 97-7—Determining damages qualifying an event as a reportable train accident. This Task was accepted on September 30, 1997. A working group was formed to address this task and conducted their initial meeting on February 8, 1999. The working group designed a survey form to collect specific data about damages to railroad equipment. The survey started on August 1 and will end January 31, 2001. The working group is scheduled to meet in December 2000. Contact: Robert Finkelstein (202) 493-6280.

Task 00-1—Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing or inspecting rear end marking devices. A working group has been formed and held its first meeting on October 16-18, 2000. Contact: Doug Taylor (202) 493-6255.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on November 1, 2000.

**George Gavalla,**

*Associate Administrator for Safety.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Child Passenger Protection Education Grants

**AGENCY:** National Highway Traffic Safety Administration, DOT

**ACTION:** Announcement of grants for child passenger protection education.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) announces a grant program under Section 2003(b) of the Transportation Equity Act for the 21st Century (TEA-21) to implement child passenger protection programs that are designed to prevent deaths and injuries to children, educate the public concerning the proper installation of child restraints, and train child passenger safety personnel concerning child restraint use. This notice solicits applications

from the States, the District of Columbia, Puerto Rico, the U.S. Territories and the Indian Tribes through the Secretary of the Interior.

**DATES:** Applications must be received by the office designated below on or before December 15, 2000.

**ADDRESSES:** Applications must be submitted to the appropriate National Highway Traffic Safety Administration Regional Administrator.

**FOR FURTHER INFORMATION CONTACT:** For program issues contact Ms. Joan Catherine Tetrault, State and Community Services, NSC-01, NHTSA, 400 Seventh Street, SW., Washington, DC 20590; telephone (202) 366-2121. For legal issues contact Mr. John Donaldson, Office of the Chief Counsel, NCC-30, NHTSA, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366-1834.

#### SUPPLEMENTARY INFORMATION:

##### Background

Motor vehicle crashes remain the leading cause of unintentional injury-related deaths among children for every age from 6 to 14 years, despite an eight percent decline in the motor vehicle occupant death rate for children under age 15 from 1988 to 1999. During the same time period, the motor vehicle occupant nonfatal injury rate among children under age 15 has increased by seven percent. Motor vehicle injuries and fatalities occur when children ride unrestrained or are improperly restrained. This grant program is intended to help reduce injuries and deaths by educating the public about the importance of correctly installing and using child safety seats, booster seats and seat belts.

##### 1. Children Riding Unrestrained

Approximately 20-25 percent of children ages 1 through 15 years ride unrestrained. Child safety seats reduce the risk of fatal injury in a crash by 71 percent for infants (less than 1 year old) and by 54 percent for toddlers (1-4 years old). In 1999, there were 550 occupant fatalities in passenger motor vehicles among children under 5 years of age. Of those 550 fatalities, an estimated 291 (53 percent) were totally unrestrained. The problem of riding unrestrained is not limited to infants and young children. From 1975 through 1999, the lives of an estimated 4,500 children were saved by the use of child restraints (child safety seats or adult safety belts). Among children under age 15 who were killed as occupants in motor vehicle crashes in 1999, 61 percent were not using safety restraints at the time of the collision.

Examination of the demographics of children killed in motor vehicle crashes (for which the most recent available year is 1995) shows that safety restraint use differs markedly by race. For example, while somewhat less than half (43.3%) of white children up to age 9 riding in passenger motor vehicles were using safety restraints at the time of their deaths, that was true of only about one-quarter (28.2%) of black children. Native American children under age 15 have a motor vehicle occupant death rate twice that of white children. (Injury and fatality data for other minority groups is currently being collected.) Restraint use is also lower in rural areas and low-income communities. Lack of access to affordable child safety seats and booster seats contributes to a lower usage rate among low-income families. However, research shows that 95 percent of low-income families who own a child safety seat use it. Improving access to affordable child restraint systems and educating parents and caregivers about proper installation and use are key components to improving use rates in these communities.

#### *1. Misuse of Child Safety Seats and Improper Seating Positions*

In 1998, 97 percent of infants (children under age 1) were restrained while riding in motor vehicles, as were 91 percent of children ages 1 to 5. However, it is estimated that approximately 80 percent of children who are placed in child safety seats are improperly restrained. Furthermore, adult safety belts do not adequately protect children ages 4 to 8 (about 40 to 80 pounds) from injury in a crash. Although car booster seats are the best way to protect them, only six percent of booster-age children are properly restrained in car booster seats.

In addition, there is a high risk of severe injury or fatality to children riding in the front seat of vehicles equipped with a passenger side air bag, due to the deployment force of the air bag. However, even if the air bag is shut off or there is no air bag, the back seat is the safest place for children to ride. Under no circumstances should a parent place a rear-facing infant seat in front of an air bag. It is estimated that children ages 12 and under are 36 percent less likely to die in a crash if seated in the rear seat of a passenger vehicle.

Child passenger safety professionals, educators, emergency personnel and others need to be adequately trained on all aspects of child restraint use in order to help reduce the problems of misuse and encourage the safest seating positions for children riding in motor vehicles. In addition, parents and

caregivers need easily accessible locations where they can receive information on choosing the correct child safety seat for their child, and identifying which child safety seats are compatible with various types of passenger motor vehicles. Parents and caregivers also need to know how to properly install a child safety seat and how to properly secure their child into that seat.

With these concerns in mind, the Transportation Equity Act for the 21st Century (TEA-21), which the President signed into law on June 9, 1998, established a grant program under Section 2003(b) of Title 23, United States Code, to promote child passenger protection education and training.

#### **Grants for Child Passenger Protection**

Section 2003(b) provides Federal funds to States for activities that are designed to prevent deaths and injuries to children; educate the public concerning the design, selection, placement, and installation of child restraints; and train and retrain child passenger safety professionals, police officers, fire and emergency medical personnel, and other educators concerning all aspects of child restraint use. A State may expend the funds itself or elect to distribute some or all of the funds to carry out the public education and training activities as grants to political subdivisions of the State or appropriate private entities. States are encouraged to direct funds obtained through this grant program to organizations that can deliver training and education to ensure positive impact in minority and low income communities where lack of child passenger protection is especially severe. Section 2003(b) provides that the Federal share of the cost of a program carried out with the grant funds is not to exceed 80 percent. A State that receives a grant must submit a report describing the program activities carried out with the funds.

#### **Application Procedures**

##### *A. Use of Funds*

To be eligible for funding under Section 2003(b), a State must submit an application that addresses how the State will implement child passenger protection programs that meet each of the three requirements listed below. For the education and training components, the grant application must identify expected program accomplishments, such as the estimated number of public education messages to be distributed (e.g. public service announcements or printed materials) and the type of

audience to be targeted by these messages (e.g. minority or low-income communities); the estimated number of and type of training classes conducted and the individuals or groups to be trained (e.g. representing minority, rural or low-income communities); the number of child safety seat clinics or check-ups performed; and the number of fitting stations established. A State is encouraged to identify the proposed locations of child safety seat clinics, check-ups and fitting stations, specifying the target population to be served.

Specifically, the State must implement a child passenger protection program that:

1. Is designed to prevent deaths and injuries to children. The State should provide a statement describing how its program supports efforts to prevent deaths and injuries to children.

2. Educates the public on all aspects of child passenger safety. The public education program may include strategies that emphasize a continuum of child restraint from infancy to age 16, increase use among targeted populations (e.g., minority, rural, low-income, or special needs populations), or develop and implement child safety seat clinics and/or permanent locations where consumers can have child safety seats and booster seats inspected. Additional information under public education may be included relevant to proper use of child restraint systems, booster seats and FMVSS 225—a standardized child safety seat system known as Lower Anchors and Tethers for Children (LATCH).

At a minimum, the public education program must:

(a) Provide a summary of the information that the State intends to include or develop in the public education program. The information must address at least the following topics:

- All aspects of proper installation of child restraints using standard seat belt hardware, supplemental hardware, and modification devices (if needed), including special installation techniques;

- Appropriate child restraint design, selection, and placement [NHTSA interprets this to include instruction about proper seating positions for children in air bag equipped vehicles]; and

- Harness threading and harness adjustment on child restraints.

(b) Include a description of the public education information methods that the State intends to employ, how these messages will be delivered to the target population, and expected

accomplishments. The methods could include billboards, public service announcements, and published materials. It is also important to deliver this information in the language of the targeted group.

3. Trains and retrains child passenger safety professionals, police officers, fire and emergency medical personnel, and other educators concerning all aspects of child restraint use. At a minimum, States should include in the application a description of or reference to the curricula that the State will use to train and retrain child passenger safety experts to reach the targeted population and expected accomplishments.

All persons selected for training and retraining as child passenger safety professionals should achieve and maintain at least some minimum standards of expertise. In collaboration with several partners, NHTSA has developed several model curricula including: "Mobilizing America to Buckle Up Children" and "Operation Kids" for law enforcement officers; and the "Standardized Child Passenger Safety Training Program" for child passenger safety professional candidates. States are not restricted to using only these curricula, but States are encouraged to incorporate the learning objectives of these courses into the training and retraining provided to child passenger safety experts. Funding for this grant program is intended to help States develop and sustain adequate cadres of persons with technical expertise in child passenger protection who will directly serve the public through child safety seat clinics, checkpoints, workshops, fitting stations and other training and educational opportunities.

#### A. Certification

The State must submit certifications that: (i) It will use the funds awarded under this grant program exclusively to implement a child passenger protection program in accordance with the requirements of Section 2003(b) of P.L. 105-178 (TEA-21); (ii) It will administer the funds in accordance with 49 CFR Part 18 and OMB Circular A-87; and (iii) It will provide to the NHTSA Regional Administrator no later than 15 months after the grant award a report of activities carried out with grant funds and accomplishments to date.

#### B. Eligibility Requirements

Eligibility is limited to the 50 States, the District of Columbia, Puerto Rico, the U.S. Territories (which include the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands) through their

Governor's Office of Highway Safety, and Indian Tribes through the Secretary of the Interior.

#### Award Procedures

The amount available for this program in fiscal year 2001 is \$7,500,000. In FY 2000, NHTSA awarded \$7.5 million to 47 states, the District of Columbia, Puerto Rico, 4 U.S. Territories and the Indian Nations. A new application is required to seek an award of fiscal year 2001 funds. Awards to applicants meeting the requirements of this notice will be made based upon the formula used for Section 402 apportionment, subject to the availability of funds. The amount awarded to each State qualifying under this program shall be determined by multiplying the amount appropriated for this grant program for the fiscal year by the ratio that the amount of funds apportioned to each such State under 23 U.S.C. 402 for the fiscal year bears to the total amount of funds apportioned to all such States under Section 402 for such fiscal year. Applicants will be required to submit to NHTSA within 30 days of notification that an award is made, a program cost summary (HS Form 217) obligating the Section 2003(b) funds to child passenger protection education programs. The Federal funding share may not exceed 80% of the program cost, and States should clearly identify their share in the program cost summary (HS Form 217).

Each State must submit one original and two copies of the application package to the appropriate NHTSA Regional Administrator. Only complete application packages submitted by a Governor's Highway Safety Representative and received on or before December 15, 2000 will be considered for funding in fiscal year 2001.

#### Report Requirements

A State that receives a grant must submit a report describing the activities carried out with the grant funds and the accomplishments to date. The report must be submitted to the NHTSA Regional Administrator no later than 15 months after the grant is awarded.

At a minimum, the report must contain the following:

(a) Describe how the State's child passenger protection program is supporting efforts to prevent deaths and injuries to children.

(b) For the education component, the report must identify program accomplishments, such as:

- A summary of the public education methods developed and how programs were delivered to the targeted population.

- The number of public education messages distributed (e.g. public service announcements or printed materials) and the type of audience targeted by those messages (e.g. minority or low-income communities);

- The number of child safety seat clinics or check-ups performed, and the number of fitting stations established. A State must also include the locations of child safety seat clinics, check-ups and fitting stations, specifying the target population served.

(c) For the training component, the report must include:

- The number of and type of training classes conducted and the individuals or groups trained (e.g. representing minority, rural or low-income communities);

- A description of or reference to the curricula that were used to train and retrain child passenger safety experts.

- The number of child passenger safety technicians and instructors certified during the grant period.

#### NHTSA Publications Available To Support Public Education

A number of NHTSA publications are available through the *Traffic Safety Materials Catalog* that address child passenger safety program topics. These materials may be ordered from the NHTSA web site at >HTTP://WWW.NHTSA.DOT.GOV< or contacting the Media and Marketing Division, NTS-21 by fax at (202) 493-2062.

Issued on: November 1, 2000.

**Sue Bailey,**

*Administrator, National Highway Traffic Safety Administration.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-8201; Notice 1]

#### Subaru of America, Inc., Receipt of Application for Decision of Inconsequential Noncompliance Regarding Headlamp Lens Marking

Subaru of America, Inc., of Cherry Hill, New Jersey, has determined that certain headlamp lens assemblies manufactured by North American Lighting, Inc., are not in full compliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, reflective devices, and associated equipment." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Subaru has petitioned for a determination that this