

is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the 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.

A Comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on October 29, 2001.

Herman L. Simms,

Associate Administrator for Administration.

[FR Doc. 01-27474 Filed 10-31-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Denial of a Petition for a Defect Investigation, DP01-001

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

ACTION: Denial of petition for a defect investigation.

SUMMARY: This notice sets forth the reasons for the denial of a petition submitted to NHTSA under 49 U.S.C. 30162, requesting that the agency investigate an alleged safety-related defect in certain Ford Escort and Mercury Tracer vehicles. The petition is hereinafter identified as DP01-001.

FOR FURTHER INFORMATION CONTACT:

Peter C. Ong, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW, Washington, D.C. 20590. Telephone: (202) 366-0583.

SUPPLEMENTARY INFORMATION: Mr. Randy D. Brantley (petitioner) submitted a petition to NHTSA by letter dated February 13, 2001, requesting that a safety-related defect investigation be initiated with respect to the non-deployment of the frontal air bags in frontal crashes in model years (MY) 1998 through 1999 Ford Escort and Mercury Tracer passenger vehicles. Specifically, the petitioner alleges that he had noticed in NHTSA's consumer complaint database that there were many reports of both driver and passenger side air bags not deploying upon impact. Since both the MY 1998 and 1999 Ford Escort and Mercury Tracer have the same frontal passive

restraint system, they are treated as the subject vehicles in this analysis.

The frontal air bag supplemental restraint system, when used with safety belts, is part of the vehicle's frontal occupant protection system that includes the vehicle's structural crumple zone, interior structure design/padding, instrument panel (IP) padding, and the energy absorbing steering wheel. As a supplemental restraint system, the air bag restraints reduce the risk of severe injuries and fatalities in frontal impacts. The air bags are designed to deploy and inflate in impacts that generate sufficient longitudinal deceleration to potentially cause moderate to serious injury to the vehicle's front seat occupants. Frontal air bags are not designed to deploy in side, rear, or rollover crashes or in frontal impacts that generate low longitudinal deceleration (such as low speed impacts and "soft" impacts that result in sheet metal deformation as opposed to major chassis/structural damage).

Manufacturers set deployment thresholds to enhance protection of the frontal occupants in severe frontal collisions such that the deployment of the air bags would help reduce the risk of serious injury or fatality. Likewise, the threshold is designed to prevent deployment in less severe collisions where air bag deployment is not likely to provide substantial benefits. The risk of injury during air bag deployment, particularly with respect to unbelted or out-of-position occupants, also provides a sound basis for setting the threshold to prevent deployment in less severe collisions. Manufacturers may select the deployment threshold that they believe is the most appropriate.

Real-world collisions often involve offset impacts, oblique angle impacts, override or underride impacts. These different impacts may or may not generate sufficient force and deceleration along the front to rear axis of the vehicle or apply significant force to the frame, suspension and engine to initiate air bag inflation. This can lead consumers to expect that the air bag should deploy in certain crashes resulting in significant body damage to the vehicle when in fact the crash force along the front to rear axis of the vehicle was not sufficient to deploy the air bags. The misconceptions about the criteria for deployment have caused allegations of non-deployment to be the most common type of air bag-related complaint reported to NHTSA.

When reviewing allegations of improper air bag non-deployment, NHTSA investigators analyze (1) The extent of vehicle frontal damage through

pictures, repair invoices, and/or police accident reports, (2) the medical records to ascertain type and severity of personal injury, and (3) technical information that may indicate systematic or component related defect trends that lead to the non-deployment of the air bags.

A review of the agency's data files, including information reported to the DOT Auto Safety Hotline, shows 72 complaints of non-deployment in the subject vehicles. Thirty-nine of these complaints alleged injuries due to the non-deployment. (In the manufacturer's database, only 44 of the 278 owner reports/crash claims/litigation cases alleged injury associated with air bag non-deployments.) NHTSA attempted to contact all of the 39 complainants who alleged injury, plus some of the more recent complainants who did not specify any injury, to request additional crash and/or injury information. The follow-up contacts provided additional crash and injury information from 34 complainants.

NHTSA reviewed its crash reports and Ford's information, including crash damage, vehicle crash dynamics, and injury severity, and did not find any trend or pattern of air bags in the subject vehicles failing to deploy in crashes when they should have deployed. The crashes were minor in nature and many of them were underride impacts into the rear of pickup trucks, which typically result in major deformation of the vehicle's hood and upper regions of the fenders that absorbs much of the crash energy. It should be noted that a complaint often alleges an impact speed higher than what the damage indicates, since pre-impact braking will often slow the vehicle down dramatically prior to impact, and a driver will often not have any reliable way to estimate the actual impact speed.

Furthermore, NHTSA's analysis of the injuries experienced by the occupants of the subject vehicles does not suggest that deployment of the air bags in the subject vehicles in these crashes would have provided significant benefit. The injuries were minor in nature. All but one were AIS-1 (Abbreviated Injury Scale) severity injuries, with one AIS-2 severity injury (broken nose).

NHTSA reviewed Ford's developmental tests on air bag deployments and found that the frontal air bags in the subject vehicles deploy at an impact velocity comparable to other passenger vehicles. Ford reports that the air bag system in the subject vehicles are designed not to deploy when a vehicle is operated on rough roads and not to deploy under "soft" impacts that damage sheet metal but do

not impact hard points on the vehicle such as the frame, suspension, and engine. Many of the "underride" crashes that ODI reviewed fall into this "soft" impact category, and air bag deployment was not appropriate under the circumstances.

For the foregoing reasons, and in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition for a defect investigation is denied.

Authority: 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: October 25, 2001.

Kenneth N. Weinstein,
Associate Administrator for Safety Assurance.

[FR Doc. 01-27405 Filed 10-31-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration (NHTSA)

Denial of Motor Vehicle Defect Petition

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

ACTION: Denial of motor vehicle defect petition.

SUMMARY: This notice sets forth the reasons for the denial of a petition submitted to NHTSA under 49 U.S.C. 30162 by William A. Schroeder, requesting that the agency commence a proceeding to determine the existence of a defect related to motor vehicle safety in the ignition distributor in certain Honda vehicles. After a review of the petition and other information, NHTSA has concluded that further expenditure of the agency's investigative resources on the issues raised by the petition does not appear to be warranted. The agency accordingly has denied the petition.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan White, Chief, Defect and Recall Information Analysis Division, Office of Defects Investigation (ODI), NHTSA, 400 7th Street, SW., Washington, DC 20590. Telephone (202) 366-5226.

SUPPLEMENTARY INFORMATION: On October 18, 2000, Mr. William Schroeder submitted a petition requesting that the agency investigate "Distributor Units on Honda cars." Mr. Schroeder experienced a distributor bearing failure in October 2000 on his model year (MY) 1992 Honda Civic. The petition alleges that ignition distributor bearings may fail suddenly, which would cause the engine to stall. It also

alleges that an engine compartment fire may occur.

The ignition distributor (distributor) is a engine component that distributes high voltage current to the spark plugs. It has a center shaft that is driven by the engine camshaft, and it supports a distributor cap and rotor. The high voltage surges are directed, one at a time, to each outer terminal of the distributor cap by the rotor, which is rotated by the distributor shaft. Spark plug wires are connected from these outer terminals to each engine spark plug. The distributor shaft is supported at the camshaft end by a bearing, which is the subject of this petition. If this bearing seizes, the distributor shaft will not rotate and distribute voltage to the spark plugs, causing the engine to stall or fail to start.

In December 1995, after experiencing high warranty claims and owner failure reports, American Honda Motor Company, Inc. (Honda) issued Technical Service Bulletin (TSB) 95-049 and initiated a Product Update Campaign to replace distributors in all MY 1992 and certain MY 1993 Honda Accords registered in a portion of the southeastern United States. This area of the country was targeted because Honda concluded that high heat and humidity conditions were major causes of these distributor bearing failures. Also, at that time, Honda extended the warranty for the distributor on MY 1992-93 Accords registered in the remainder of the United States to six years/75,000 miles. Honda's position was that the distributor bearing may develop excessive clearance and cause an engine no-start condition, but that this was not a safety problem. Honda did not extend this Product Update Campaign or warranty to MY 1992 Civics because the distributor bearing failure rate in those vehicles was low.

To date, ODI has received nine complaints alleging distributor bearing failures on MY 1992 Honda Civics, and 10 complaints alleging non-specific distributor failures on those vehicles, at an average mileage of 98,400 miles. Seven of the ODI reports allege engine stalling, and one fire was allegedly caused by a seized distributor in 1995. Only two of the 19 incidents occurred during the past two years.

In response to an ODI inquiry, Honda submitted 1,175 owner and field reports of distributor bearing failures, and 1,628 warranty claims relating to all types of distributor failures, including 19 reports of engine stalling, in MY 1992 Honda Civics. Honda also submitted one report of a fire allegedly caused by a defective distributor, but Honda contends that

this had no connection with a distributor bearing failure.

There have been no reports of crashes, injuries or fatalities relating to distributor bearing and/or distributor failures in 1992 Honda Civic vehicles—a vehicle population of 190,000.

Information obtained during ODI's review of the petition indicates that the distributor bearing failure on these vehicles is almost always progressive, and that warnings such as significant bearing noise, poor engine performance, and starting difficulty are clearly evident to the operator long before the bearing seizes and causes the engine to stop running. Further, the risk of engine compartment fires caused by distributor bearing failures is extremely low.

For the foregoing reasons, further expenditure of the agency's investigative resources on the issues raised by the petition does not appear to be warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: October 25, 2001.

Kenneth N. Weinstein,
Associate Administrator for Safety Assurance.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2001-10531]

John Chevedden; Denial of Petition for Rulemaking

Mr. John Chevedden of Redondo Beach, California, petitioned for rulemaking to establish a new Federal Motor Vehicle Safety Standard requiring a non-glossy finish on the aerodynamic spoiler wings optionally installed on the rear of passenger vehicles.

Mr. Chevedden supported his request by stating that the surface of such spoilers is glossy because they are painted with the same glossy material as a vehicle. He observed that the spoilers reflect light into the rear view mirror causing glare and that this glare can temporarily impair the vision of drivers. He suggested these spoilers be required to have similar low reflectance performance as is required for windshield wiper arms in an existing Federal motor vehicle safety standard. He stated that the very reason that windshield wiper arms are prohibited from having glossy surfaces is the same