

comment on the following proposed collection of information:

#### Misuse of Child Restraints

*Type of Request*—New information collection requirement.

*OMB Clearance Number*—None.

*Form Number*—This collection of information uses no standard forms.

*Requested Expiration Date of Approval*—December 31, 2003.

*Summary of the Collection of Information*—NHTSA proposes to collect information on misuse of child restraint systems (CRS) among the general public. The information collection would be conducted at public places frequently visited by drivers transporting infants and young children (age 8 and younger). Information would be collected from sites in six States selected to be representative of the nation as a whole. A total sample of 4,000 target vehicles (drivers with young children) would be used for the study. Participation by drivers would be voluntary. Initial contact would involve a project staff member asking drivers transporting one or more children in the selected public setting to participate in the information collection, which would take place immediately within that public setting if the driver agrees to participate. The information collection would consist of checking child restraint use in the vehicle, and interviewing the drivers. The interview would be comprised of questions to drivers relating to child passenger characteristics, driver socio-demographic characteristics, and knowledge of proper CRS use.

The proposed information collection would be anonymous and confidential. Drivers would not be asked their name nor asked for any other information that could be used to identify them or their passengers. No information would be recorded that could be used to identify study participants.

*Description of the Need for the Information and Proposed Use of the Information*—The National Highway Traffic Safety Administration (NHTSA) was established to reduce the number of deaths, injuries and economic losses resulting from motor vehicle crashes. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs.

Research on the effectiveness of child safety seats has found them to reduce fatal injury by 71 percent for infants and by 54 percent for toddlers in passenger cars. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively.

In the late 1970s and early 1980s, studies showed CRS use for infants and toddlers well below 50 percent. By the mid 1980s, all States had child restraint laws that required children below a certain age to travel in approved CRSs. The combination of State laws and public information and education programs was effective to some extent: by the mid 1990s restraint use by infants exceeded 80 percent and restraint use by toddlers had reached 60 percent. Yet while more infants and toddlers were being put into CRSs, studies conducted in the past decade have shown alarmingly high rates of misuse of these restraints (80 to over 95 percent). Studies have also found that many toddlers were being put prematurely into adult seat belts rather than staying in convertible seats or graduating to booster seats. Children are at greater risk of injury when improperly restrained in CRSs or prematurely placed into adult seat belts. In one study, crash-involved children ages 2 to 5 who were in adult seat belts were 3.5 times more likely to suffer significant injury and 4 times more likely to suffer head injury when compared to crash-involved children in the same age group who used child safety seats or booster seats.

The last major (multi-State) data collection effort to measure CRS misuse in a randomly selected general population at unadvertised site locations was conducted over six years ago. The environment for child passenger safety has changed significantly since then as a result of technological advances, new seating products, regulatory activity, educational activity, and other factors. It is important for NHTSA to identify the current status of CRS use and misuse among the public. The information will help NHTSA to identify areas where efforts need to be targeted and where new public information and education campaign strategies may be needed.

*Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)*—Under this proposed effort, information would be collected from 4000 randomly selected drivers transporting young children. Information collection would be conducted in public settings in six different States. Each driver would go through the information collection a single time.

*Estimate of the Total Annual Reporting and Record Keeping Burden Resulting from the Collection of Information*—For each vehicle in the study, information collection would consist of checking the restraint use of children in the vehicle, and

interviewing the driver. NHTSA estimates that the information collection would average 8.5 minutes per vehicle. This equates to an estimated 567 burden hours (4,000 driver participants multiplied by 8.5 minutes multiplied by 1 information collection). During part of that time, the driver would be a passive participant in the information collection as the study team checks the restraint use of the child(ren). The driver interview during the information collection would average 5 minutes in length (the interview would collect demographic information as well as information concerning drivers' knowledge, acquisition, and use of child safety seats). Thus the number of estimated reporting burden hours a year on the general public (4,000 driver participants multiplied by 5 minutes by 1 interview) would be 333 for the proposed study. The respondents would not incur any reporting cost from the information collection. The respondents also would not incur any record keeping burden or record keeping cost from the information collection.

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**Rose A. McMurray,**  
Associate Administrator, Traffic Safety Programs.

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-10382; Notice 2]

#### International Truck and Engine Corporation; Denial of Application for Decision That Noncompliance Is Inconsequential to Motor Vehicle Safety

International Truck and Engine Corporation (International) of Fort Wayne, Indiana, has determined that approximately 801 vehicles produced from January 1, 1986, through January 16, 2001, do not comply with paragraph S5.1 of Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire Selection and Rims for Motor Vehicles other than Passenger Cars." Pursuant to 49 U.S.C. 30118(d) and 30120(h), International petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published on August 24, 2001, with a 30-day comment period (66 FR 44663).

NHTSA received no comments on this application.

International built trucks, truck tractors, and buses with 295/75R22.5 tires mounted on 7.50 inch wide rims. Paragraph S5.1.1 of FMVSS No. 120 requires that vehicles be equipped with rims that are listed as suitable for use with the tires that are mounted on them in accordance with paragraph S5.1 of FMVSS No. 119, "New Pneumatic Tires for Vehicles other than Passenger Cars." Paragraph S 5.1 of FMVSS No. 119 refers to the listing of rims that may be used with various tires in the "Tire and Rim Association, Inc. (T&RA) Yearbook", or another designated publication. According to T&RA, the approved rim widths for 295/75/R22.5 tires are between 8.25 and 9.00 inches.

The T&RA approved rim widths are based on an engineering guideline stating that the rim width should be 70 to 80 percent of the tire section width. International cited a statement in the T&RA Yearbook that the effect of using rims of different than design rim width is to change the tire section width by 0.1 inch for each 0.25 inch change in rim width. The section width for the 295/75R22.5 tires is 11.43 inches when mounted on an 8.25 inch wide rim. The tire section width is reduced to 11.13 inches when the tires are mounted on a 7.5 inch wide rim, resulting in a rim width that is about 67 percent of the tire section width. Theoretically, a 7.9 inch wide rim, which is not available (not in production), would be required for the subject tires to meet the T&RA engineering guideline that the rim width be 70 percent of the tire width. International concluded, therefore, that the 7.5 inch wide rim is 95 percent as wide as the 7.9 inch wide rim that would be required for 295/75R22.5 size tires under the 70 percent guideline (but not the width specified in the Year Book).

International stated that the noncompliant mounting of the 295/75R22.5 tires on the 7.5 inch wide rims is inconsequential to motor vehicle safety for the following reasons:

1. International customers have operated vehicles of various model types for 15 years with this combination of tire and rim, with no reported problems.
2. International has corrected its tire wheel assembly instruction charts and as of 1/17/01, it will no longer produce this non-compliant tire and rim combination.

3. Many of these vehicles probably have gone through several tire replacement cycles without reported problems.

The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on the safety of the vehicles on which the noncompliant tire and rim combination is mounted. According to International, the 801 heavy duty trucks, truck tractors, and buses with this FMVSS No. 120 noncompliance are not likely to develop safety consequences. International has recognized that, compared to tires mounted on correctly sized rims, the tires mounted on rims that are too narrow may experience a decrease in sidewall durability, and may also experience higher treadwear for tires mounted on the steering axle. Although International asserted that these differences in tire wear are small and not likely to reduce the safety performance of the vehicles, the agency does not agree.

The purpose of this section of FMVSS No. 120 is to ensure that trucks and buses are equipped with rims and tires that are properly matched. The failure of International to meet the tire and rim matching requirements is a serious violation of the design requirements of the standard. Granting of this petition would establish a precedent that the mismatching of tires and rims is acceptable and, therefore, would undermine the enforceability of these requirements.

In consideration of the foregoing, NHTSA has decided that the applicant has not met its burden of persuasion, and that the noncompliance may have an adverse effect on the safety of these vehicles. Accordingly, International's application is denied and the company must provide notification of the noncompliance, as required by 49 U.S.C. 30118. Also, International must provide a free remedy of the noncompliance for all vehicles bought by the first purchaser ten calendar years or less before notice is given, as required by 49 U.S.C. 30120(g).

(49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: April 17, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2001-9426, Notice 2]

#### Mazda Motor Corporation, Grant of Application for Decision That a Noncompliance Is Inconsequential to Motor Vehicle Safety

Mazda Motor Corporation has determined that certain 2000 Mazda MPVs do not meet the maximum load rating requirements of paragraph S5.1 or the vehicle labeling requirements of paragraph S5.2 of Federal Motor Vehicle Safety Standard (FMVSS) No. 120 "Tire Selection and Rims for Motor Vehicles Other than Passenger Cars." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Mazda has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published on May 1, 2001, with a 30-day comment period (66 FR 21820). NHTSA received no comments on this application.

Mazda manufactured 19,569 model year 2000 MPVs equipped with 15-inch tires marked with a load rating that is not appropriate for the vehicle's certified rear gross axle weight rating (GAWR), a noncompliance with paragraph S5.1.2 of FMVSS No. 120. Mazda's Petition stated that the subject vehicles were equipped with tires that were incorrectly labeled with a load index of 92S and a maximum load rating 635 kg, but should have been labeled with a load rating of 94S and a maximum load rating of 670 kg. Further review of Mazda's Petition indicates that the P205/65R15 92S original equipment tires manufactured by Dunlop and Yokohama are correctly marked with a maximum load rating of 635 kg. However, both Dunlop and Yokohama provided Mazda with documentation stating that the subject tires passed the tests required for tires with a 94S tire load index, which corresponds to a maximum load rating of 670 kg. For the 2000 Mazda MPV, the 670 kg maximum load rating is sufficient to meet the requirements of FMVSS No. 120, paragraph S5.1.2, and is sufficient to bear the load for which the vehicle is rated.

Mazda argued that the noncompliance is inconsequential to motor vehicle safety because the original equipment tires, though labeled 635 kg, meet the requirements for tires with a load rating of 670 kg. Additionally, Mazda provided