

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: July 23, 2003.

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

[FR Doc. 03-19154 Filed 7-25-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13014; Notice 2]

#### Dorel Juvenile Group; Denial of Application for Decision of Inconsequential Noncompliance

Dorel Juvenile Group [Cosco] (DJG), of Columbus, Indiana, failed to comply with S5.1.1(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," and filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." DJG 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 on September 5, 2002, in the **Federal Register** (67 FR 56872), with a 30-day comment period. NHTSA received no comments.

The noncompliance reported by DJG is the separation of the tether strap and steel belt slot adjustment channel from the Cosco Alpha Omega child restraint system (CRS) seat shell produced from November 1, 2000 through January 10, 2001 (6 Models and 86,476 units).

FMVSS No. 213, S5.1.1 "Performance Requirements," requires for dynamic performance that:

S5.1.1. *Child restraint system integrity.* When tested in accordance with S6.1 each child restraint system shall meet the requirements of paragraphs (a) \* \* \* of this section.

(a) Exhibit no complete separation of any load bearing structural element

\* \* \*

DJG supports its application for inconsequential noncompliance with the following, as summarized by NHTSA.

DJG does not think that tether separation during sled test constitutes a complete separation of a load bearing structural element. DJG believes that the regulatory history of S5.1.1 shows that the purpose of the requirement is to reduce the likelihood of injury during collapse or disintegration of the system; therefore, the cutting of the tether strap does not present a risk of collapse or disintegration. DJG states that the agency's compliance test data show tether separation of the Alpha Omega CRS under dynamic loading provides significantly improved results compared to other Alpha Omega CRS without tether separation under dynamic loading. Therefore, DJG filed this petition on the basis that the noncompliance is inconsequential to motor vehicle safety.

The agency has reviewed DJG's application and concluded that the noncompliance is not inconsequential to motor vehicle safety for the following reasons.

First, even though the Alpha Omega CRS met other dynamic test requirements, it did not meet S5.1.1(a) when the tether strap separated from the CRS. The agency has consistently viewed tether strap separation as a load bearing structural failure.

Second, structural failure is similar to vehicle LATCH anchorage failure—a failure of either one causes a child seat to be restrained improperly.

Finally, the agency has taken enforcement action for a similar failure. In 2001, the agency notified Britax Child Safety, Inc (Britax), of a potential noncompliance due to the detachment of a tether strap during dynamic testing of one of its child restraint models. Britax initiated a recall campaign to provide owners of the affected model with repair kits.

In consideration of the foregoing, NHTSA has decided that DJG has not met its burden of persuasion that the noncompliance it describes is inconsequential to motor vehicle safety. Accordingly, DJG's application is hereby denied. Therefore, DJG must fulfill its obligation to notify and remedy under 49 U.S.C. 30118(d) and 30120(h).

**Authority:** 49 U.S.C. 30118(d) and 30120(h); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: July 22, 2003.

**Roger A. Saul,**

*Director, Office of Crashworthiness Standards.*

[FR Doc. 03-19152 Filed 7-25-03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-98-4470]

#### Pipeline Safety: Meeting of the Technical Hazardous Liquid Pipeline Safety Standards Committee

**AGENCY:** Office of Pipeline Safety, Research and Special Programs Administration, DOT.

**ACTION:** Notice—Meeting of Technical Hazardous Liquid Pipeline Safety Standards Committee.

**SUMMARY:** The Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) will convene a meeting of the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC). The purpose of the meeting is to request the Committee's input on the conceptual framework of the OPS five-year research and development program plan as required by section 12 of the Pipeline Safety Improvement Act of 2002. RSPA/OPS staff will also brief the Committee and request their advice on a possible rule change to the operator qualification standard and on a rulemaking on annual reporting.

**DATES:** The meeting will be held on Wednesday, August 6 from 11 a.m. to 2 p.m. Advisory Committee members will participate via telephone conference call. Notice of each Committee meeting will be published in the **Federal Register** at least 15 days in advance of the meeting, except in emergency situations. This Notice is delayed due to the complex coordination among several agencies to complete and expedite the conceptual framework of the OPS five-year research and development program plan to meet the December 2003 deadline required by the Pipeline Safety Improvement Act of 2002.

**ADDRESSES:** Members of the public may attend the meeting in room 4236 at the U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC.

An opportunity will be provided for the public to make short statements on the topics under discussion. Anyone wishing to make an oral statement should notify Jean Milam, (202) 493-0967, not later than August 1, 2003, on the topic of the statement and the length