

according to the type of disciplinary case?

11. How and by whom should SRO disciplinary committees be appointed? Should the terms of committee members be limited? Please explain.

#### *E. Other Issues*

12. What additional information, if any, should SROs make available to the public to increase transparency with respect to their governance and regulatory structures (e.g., board member affiliations; regulatory staffing and budget; disciplinary committee membership and affiliations, etc.)?

13. Would additional core principles for SROs help to clarify their responsibilities with respect to governance, or would regulatory guidance be more appropriate.

14. What steps should be taken to manage or eliminate conflicts of interest involving SRO board and disciplinary committee members?

15. Should registered futures associations that are functioning as SROs also be subject to governance standards?

Issued in Washington, DC, on June 2, 2004, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

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## **CONSUMER PRODUCT SAFETY COMMISSION**

### **Proposed Collection of Information; Comment Request—Safety Standard for Bicycle Helmets**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission requests comments on a proposed extension of approval of a collection of information from manufacturers and importers of bicycle helmets. The collection of information is in regulations implementing the Safety Standard for Bicycle Helmets. 16 CFR part 1203. These regulations establish testing and recordkeeping requirements for manufacturers and importers of bicycle helmets subject to the standard. The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from the Office of Management and Budget.

**DATES:** Written comments must be received by the Office of the Secretary not later than August 9, 2004.

**ADDRESSES:** Written comments should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland, 20814. Alternatively, comments may be filed by telefacsimile to (301) 504-0127 or by e-mail to [cpssc-os@cpssc.gov](mailto:cpssc-os@cpssc.gov). Comments should be captioned "Bicycle Helmets."

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed extension of approval of the collection of information, or to obtain a copy of 16 CFR part 1203, call or write Linda L. Glatz, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-7671, or by e-mail to [lglatz@cpssc.gov](mailto:lglatz@cpssc.gov).

#### **SUPPLEMENTARY INFORMATION:**

In 1994, Congress passed the "Child Safety Protection Act," which, among other things, included the "Children's Bicycle Helmet Safety Act of 1994" Pub. L. 103-267, 108 Stat. 726. This law directed the Commission to issue a final standard applicable to bicycle helmets that would replace several existing voluntary standards with a single uniform standard that would include provisions to protect against the risk of helmets coming off the heads of bicycle riders, address the risk of injury to children, and cover other issues as appropriate. The Commission issued the final bicycle helmet standard in 1998. It is codified at 16 CFR part 1203.

The standard requires all bicycle helmets manufactured after March 10, 1999, to meet impact-attenuation and other requirements. The standard also contains testing and recordkeeping requirements to ensure that bicycle helmets meet the standard's requirements. Certification regulations implementing the standard require manufacturers, importers, and private labelers of bicycle helmets subject to the standard to (1) perform tests to demonstrate that those products meet the requirements of the standard, (2) maintain records of those tests, and (3) affix permanent labels to the helmets stating that the helmet complies with the applicable standard. The certification regulations are codified at 16 CFR part 1203, subpart B.

The Commission uses the information compiled and maintained by manufacturers, importers, and private labelers of bicycle helmets subject to the standard to help protect the public from risks of injury or death associated with head injury associated with bicycle

riding. More specifically, this information helps the Commission determine whether bicycle helmets subject to the standard comply with all applicable requirements. The Commission also uses this information to obtain corrective actions if bicycle helmets fail to comply with the standard in a manner that creates a substantial risk of injury to the public.

The Office of Management and Budget (OMB) approved the collection of information in the certification regulations under control number 3041-0127. The Commission now proposes to request an extension of approval without change for the collection of information in the certification regulations.

#### **Estimated Burden**

The Commission staff estimates that approximately 30 firms manufacture or import bicycle helmets subject to the standard. There are an estimated 200 different models of bicycle helmets currently marketed in the U.S. The Commission staff estimates that the time required to comply with the collection of information requirements is approximately 100 to 150 hours per model per year. The total amount of time estimated for compliance with these requirements will be 20,000 to 30,000 hours per year (200 models × 100-150 hours/model = 20,000-30,000 hours). The annualized cost to respondents for the hour burden for collection of information is \$489,600-\$734,400 based on 20,000-30,000 hours times \$24.48/hour (based on total compensation of all civilian workers in the U.S., September 2003, Bureau of Labor Statistics).

#### **Request for Comments**

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological

collection techniques, or other forms of information technology.

Dated: June 2, 2004.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 04-12960 Filed 6-8-04; 8:45 am]

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## CONSUMER PRODUCT SAFETY COMMISSION

### Public Field Hearing Concerning Swimming Pool Safety

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of public field hearing.

**SUMMARY:** The U.S. Consumer Product Safety Commission ("CPSC" or "Commission") will conduct a public field hearing in Phoenix, Arizona, on Tuesday, July 27, 2004 to obtain information and views from the public concerning swimming pool safety. This will be the second field hearing the Commission is having on swimming pool safety. The hearing will focus on drownings of children under 5 years old in residential swimming pools and spas, as well as entrapments and entanglements in suction outlets in swimming pools and spas. The hearing will address the following general questions: What has worked to prevent swimming pool drownings of young children—and why? What has not worked to prevent these drownings—and why? What can CPSC do to reduce drownings of young children in residential swimming pools? What strategies are most effective in addressing suction entrapment and entanglement incidents? What can CPSC do to prevent these incidents?

The Commission requests members of the public to participate in this hearing. The Commission is particularly interested in participation from city/county/State code officials, injury prevention specialists, industry representatives, fire department/EMS officials, medical personnel, legislative officials, and parents/caregivers of children who were victims of drowning or near-drowning.

**DATES:** The hearing will be held on Tuesday, July 27, 2004, from 9 a.m. to 6 p.m. The Commission will recess for lunch around 12 noon. Requests to make an oral presentation, and 10 copies of the text of the presentation, must be received by the Office of the Secretary no later than July 13, 2004. Persons making presentations at the meeting should provide an additional 10 copies for dissemination on the date

of the meeting. In addition, requests for audiovisual equipment (*e.g.*, Powerpoint) for presentations must be made to the Office of the Secretary by July 13, 2004. Oral presentations should run no more than 5 minutes. The Commission reserves the right to limit the number of persons who make presentations and the duration of their presentations. To prevent similar presentations, groups may be directed to designate a spokesperson. Written submissions in addition to, or instead of, oral presentations may be sent to the address listed below and will be accepted until August 27, 2004.

**ADDRESSES:** The meeting will be held at Phoenix City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona 85003. Requests to make oral presentations, and texts of oral presentations should be captioned "Swimming Pool Hearing; Phoenix" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office: Room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Requests and texts of oral presentations also may be submitted by facsimile to (301) 504-0127 or by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the purpose or subject matter of this meeting, contact Deborah Tinsworth, Project Manager, Directorate for Epidemiology, U.S. Consumer Product Safety Commission, Washington, DC 20207; telephone: (301) 504-7307; e-mail: [dtinsworth@cpsc.gov](mailto:dtinsworth@cpsc.gov). For more information about the schedule for submission of requests to make oral presentations and submission of texts of oral presentations, contact Rockelle Hammond, Office of the Secretary, U.S. Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-6833; fax (301) 504-0127; or e-mail [rhammond@cpsc.gov](mailto:rhammond@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Swimming pools can be dangerous to young children. In 1999 and 2000, an average of about 250 children under 5 years old drowned in swimming pools each year. In 2002, approximately 1,600 children under 5 years old were treated in U.S. hospital emergency rooms for near-drowning injuries related to swimming pools. About 58 percent of these children were hospitalized. Approximately 67 percent of the near-drowning injuries were reported to have occurred in home settings. Societal costs associated with these drownings and near-drownings are almost \$2 billion

each year. In addition, these tragedies result in severe emotional impacts on the families of the victims. From 1990 through October 2003, CPSC has reports of 126 suction entrapment incidents, including 25 deaths. These incidents occurred in both swimming pools and spas.

CPSC has been actively involved for many years in injury prevention activities addressing swimming pool safety. In the late 1980s, CPSC conducted an extensive study of submersion incidents involving children under age 5 in residential swimming pools in eight counties in California, Arizona, and Florida. The results of this study indicated that most of the victims were boys between 1 and 3 years old. Nearly half of the victims were last seen in the house before being found in the pool. In addition, 23 percent of the victims were last seen on the porch or patio or in the yard. This means that fully 69 percent of the children who became victims were not expected to be in or at the pool, but were found in the water. Sixty-five percent of the incidents occurred in a pool owned by the victims' immediate family, and 33 percent occurred in pools owned by relatives or friends. Fewer than 2 percent of the incidents were the result of children trespassing on property where they did not belong. Seventy-seven percent of the victims had been missing for 5 minutes or less when they were found.

The speed with which swimming pool drownings and submersions can occur is a special concern. Toddlers are inquisitive and impulsive and lack a sense of danger. In addition, the incidents are silent; it is unlikely that splashing or screaming will occur to alert a parent or caregiver that a child is in trouble.

From this information as well as information on child development and behavior, CPSC staff concluded that the best way to reduce child drownings in residential pools is for pool owners to construct and maintain barriers that prevent young children from gaining access to pools. CPSC staff believes that barriers increase the time for adults to intervene and prevent submersion incidents. In 1994, CPSC published *Safety Barrier Guidelines for Home Pools* (available on CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov)). Since that time, CPSC has continued to stress the importance of a primary barrier in addition to other layers of protection and has stressed the need for close supervision of young children in and around the water. CPSC staff has studied pool alarms and worked on voluntary standards for fencing, pool and spa safety covers, door