(G) 7.9.7 Repeat 7.9.1 to 7.9.6 with the Newborn CAMI Dummy.

(iii) 7.10 Fabric Release Test Methods for Enclosed Openings.
(A) 7.10.1 Assemble and place the bassinet/cradle in the manufacturers use position.
(B) 7.10.2 With the torso test probe attached to a force gauge, place the small end of the probe against the fabric inside wall of the product and any structural elements in any locations deemed most likely to fail.
(C) 7.10.3 Apply a 20 lb force to the probe over a period of 5 seconds and hold for an additional 5 seconds.
(D) 7.10.4 Upon completion of 7.10.3, if an opening occurs in a location, other than the location being tested, release the probe from the original test location and repeat 7.10.3 at this additional location without adjusting the fabric.
(E) 7.10.5 If the product has a removable cover, unfasten all fasteners and/or snaps and repeat 7.10.2 to 7.10.4.
(F) 7.10.6 Repeat 7.10.1 to 7.10.5 in all manufacturers recommended use positions. For multiple use products, the test shall be performed in all possible use modes.

(12) Instead of complying with section 8.3.1 of ASTM F 2194–07a c1, comply with the following:
(i) 8.4.2.1 In the warning statements, the safety alert symbol

⚠️ and the word WARNING shall precede the warning statements at each location where warnings are provided and shall not be less than 0.2 in. (5 mm) high. The remainder of the text shall be in letters not less than 0.1 in. (2.5 mm) high except as specified in 8.4.2.

(ii) [Reserved]

(13) Instead of complying with section 8.4.2.1 of ASTM F 2194–07a c1, comply with the following:
(i) Infants have suffocated in gaps between extra padding and side of the bassinet/cradle and on soft bedding. Use only the pad provided by manufacturer. NEVER add a pillow, comforter, or another mattress for padding.
(ii) [Reserved]

(14) In addition to the changes to ASTM F 2194–07a c1 in paragraph (b)(13), comply with the following:
(i) 8.4.2.2 The words “SUDDEN DEATH” shall be capital letters not less than 0.2 in.

(5 mm) high. The words “Infants have suffocated” shall be in characters whose upper case is not less than 0.16 in. (4 mm) high. The remainder of the warning statement shall be standard type style whose upper case shall be at least 0.1 in. (2.5 mm) high.
(ii) [Reserved]

Alberta Mills,
Acting Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2010–7667 Filed 4–27–10; 8:45 am]
BILLING CODE 6355–01–P

DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration
23 CFR Parts 1200 and 1300
[Docket No. NHTSA–2010–0054]
Federal Motor Vehicle Safety Standards; Small Business Impacts of Motor Vehicle Safety

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

ACTION: Notice of regulatory review; Request for comments.

SUMMARY: NHTSA seeks comments on the economic impact of its regulations on small entities. As required by section 610 of the Regulatory Flexibility Act, we are attempting to identify rules that may have a significant economic impact on a substantial number of small entities. We also request comments on ways to make these regulations easier to read and understand. The focus of this notice is rules that specifically relate to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, incomplete vehicles, motorcycles, and motor vehicle equipment.

DATES: You should submit comments early enough to ensure that Docket Management receives them not later than June 28, 2010.

ADDRESSES: You may submit comments [identified by DOT Docket ID Number NHTSA–2010–0054] by any of the following methods:
• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the online instructions for submitting comments.
• Mail: Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001
• Hand Delivery or Courier: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
• Fax: 202–493–2251
Instructions: For detailed instructions on submitting comments and additional information see the Comments heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to http://
A. Background and Purpose

Section 610 of the Regulatory Flexibility Act of 1980 (Pub. L. 96–354), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), requires agencies to conduct periodic reviews of final rules that have a significant economic impact on a substantial number of small business entities. The purpose of the reviews is to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the objectives of applicable statutes, to minimize any significant economic impact of the rules on a substantial number of small entities.

B. Review Schedule

The Department of Transportation (DOT) published its Semiannual Regulatory Agenda on November 22, 1999, listing in Appendix D (64 FR 64684) those regulations that each operating administration will review under section 610 during the next 12 months. Appendix D contained DOT’s 10-year review plan for all of its existing regulations. On November 24, 2008, NHTSA published in the Federal Register (73 FR 71401) a revised 10-year review plan for its existing regulations. The National Highway Traffic Safety Administration (NHTSA, “we”) has divided its rules into 10 groups by subject area. Each group will be reviewed once every 10 years, undergoing a two-stage process—an Analysis Year and a Review Year. For purposes of these reviews, a year will coincide with the fall-to-fall publication schedule of the Semiannual Regulatory Agenda. The newly revised 10-year plan will assess years 9 and 10 of the old plan in years 1 and 2 of the new plan. Year 1 (2008) began in the fall of 2008 and will end in the fall of 2009; Year 2 (2009) will begin in the fall of 2009 and will end in the fall of 2010; and so on.

During the Analysis Year, we will request public comment on and analyze each of the rules in a given year’s group to determine whether any rule has a significant impact on a substantial number of small entities and, thus, requires review in accordance with section 610 of the Regulatory Flexibility Act. In each fall’s Regulatory Agenda, we will publish the results of the analyses we completed during the previous year. For rules that have subparts, or other discrete sections of rules that do have a significant impact on a substantial number of small entities, we will announce that we will be conducting a formal section 610 review during the following 12 months.

The section 610 review will determine whether a specific rule should be revised or revoked to lessen its impact on small entities. We will consider: (1) The continued need for the rule; (2) the nature of complaints or comments received from the public; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with other federal rules or with state or local government rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. At the end of the Review Year, we will publish the results of our review. The following table shows the 10-year analysis and review schedule:

### NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION SECTION 610 REVIEWS

<table>
<thead>
<tr>
<th>Year</th>
<th>Regulations to be reviewed</th>
<th>Analysis year</th>
<th>Review year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>49 CFR 571.223 through 571.500, and parts 575 and 579</td>
<td>2008</td>
<td>2009</td>
</tr>
<tr>
<td>2</td>
<td>23 CFR parts 1200 and 1300</td>
<td>2009</td>
<td>2010</td>
</tr>
<tr>
<td>3</td>
<td>49 CFR parts 501 through 526 and 571.213</td>
<td>2010</td>
<td>2011</td>
</tr>
<tr>
<td>4</td>
<td>49 CFR 571.131, 571.217, 571.220, 571.221, and 571.222</td>
<td>2011</td>
<td>2012</td>
</tr>
<tr>
<td>5</td>
<td>49 CFR 571.101 through 571.110, and 571.135, 571.138 and 571.139</td>
<td>2012</td>
<td>2013</td>
</tr>
<tr>
<td>6</td>
<td>49 CFR 571.529 through 578, except parts 571 and 575</td>
<td>2013</td>
<td>2014</td>
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<td>7</td>
<td>49 CFR 571.111 through 571.129 and parts 580 through 588</td>
<td>2014</td>
<td>2015</td>
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<tr>
<td>8</td>
<td>49 CFR 571.201 through 571.210</td>
<td>2015</td>
<td>2016</td>
</tr>
<tr>
<td>9</td>
<td>49 CFR 571.214 through 571.219, except 571.217</td>
<td>2016</td>
<td>2017</td>
</tr>
<tr>
<td>10</td>
<td>49 CFR parts 591 through 595 and new parts and subparts</td>
<td>2017</td>
<td>2018</td>
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</tbody>
</table>

C. Regulations Under Analysis

During Year 2, we will continue to conduct a preliminary assessment of the following sections of 23 CFR parts 1200 and 1300:

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1200</td>
<td>Uniform procedures for State highway safety programs.</td>
</tr>
<tr>
<td>1204</td>
<td>[Reserved].</td>
</tr>
<tr>
<td>1205</td>
<td>Highway safety programs; determinations of effectiveness.</td>
</tr>
<tr>
<td>1208</td>
<td>National minimum drinking age.</td>
</tr>
<tr>
<td>1210</td>
<td>Operation of motor vehicles by intoxicated minors.</td>
</tr>
<tr>
<td>1215</td>
<td>Use of safety belts—compliance and transfer-of-funds procedures.</td>
</tr>
</tbody>
</table>
We are seeking comments on whether any requirements in 23 CFR parts 1200 and 1300 have a significant economic impact on a substantial number of small entities. “Small entities” include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations under 50,000. Business entities are generally defined as small businesses by Standard Industrial Classification (SIC) code, for the purposes of receiving Small Business Administration (SBA) assistance. Size standards established by SBA in 13 CFR 121.201 are expressed in number of employees or annual receipts in millions of dollars, unless otherwise specified. The number of employees or annual receipts indicates the maximum allowed for a concern and its affiliates to be considered small. If your business or organization is a small entity and if any of the requirements in 23 CFR parts 1200 and 1300 have a significant economic impact on your business or organization, please submit a comment to explain how and to what degree these requirements affect you, the extent of the economic impact on your business or organization, and why you believe the economic impact is significant.

If the agency determines that there is a significant economic impact on a substantial number of small entities, it will ask for comment in a subsequent notice during the Review Year on how these impacts could be reduced without reducing safety.

II. Plain Language

A. Background and Purpose

Executive Order 12866 and the President’s memorandum of June 1, 1998, require each agency to write all rules in plain language. Application of the principles of plain language includes consideration of the following questions:

• Have we organized the material to suit the public’s needs?
• Are the requirements in the rule clearly stated?
• Does the rule contain technical language or jargon that is not clear?
• Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand?
• Would more (but shorter) sections be better?
• Could we improve clarity by adding tables, lists, or diagrams?
• What else could we do to make the rule easier to understand?

If you have any responses to these questions, please include them in your comments on this document.

B. Review Schedule

In conjunction with our section 610 reviews, we will be performing plain language reviews over a ten-year period on a schedule consistent with the section 610 review schedule. We will review 23 CFR parts 1200 and 1300 to determine if these regulations can be reorganized and/or rewritten to make them easier to read, understand, and use. We encourage interested persons to submit draft regulatory language that clearly and simply communicates regulatory requirements, and other recommendations, such as for putting information in tables that may make the regulations easier to use.

Comments

How do I prepare and submit comments?

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the docket number of this document in your comments.

Your comments must not be more than 15 pages long. (49 CFR 553.21.) We established this limit to encourage you to write your primary comments in a concise fashion. However, you may attach necessary additional documents to your comments. There is no limit on the length of the attachments.

Please submit two copies of your comments, including the attachments, to Docket Management at the address given above under ADDRESSES.

Please note that pursuant to the Data Quality Act, in order for substantive data to be relied upon and used by the agency, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, we encourage you to consult the guidelines in preparing your comments. OMB’s guidelines may be accessed at http://www.whitehouse.gov/omb/fedreg/reproducible.html. DOT’s guidelines may be accessed at http://dmses.dot.gov/submit/DataQualityGuidelines.pdf.

How can I be sure that my comments were received?

If you wish Docket Management to notify you upon receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

How do I submit confidential business information?

If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590. In addition, you should submit two copies,
I. Background

OSHRC proposes several substantive and technical revisions to its regulations implementing the FOIA (5 U.S.C. 552, as amended) that fall within two general categories. First, OSHRC proposes modifying its existing FOIA regulations to reflect the amendments to the FOIA contained in the OPEN Government Act, Public Law 110-175, 121 Stat. 2524. The OPEN Government Act amended various FOIA administrative procedures, such as when an agency may toll the statutory time for responding to FOIA requests and how to indicate exemptions authorizing deletion of materials under the FOIA on the responsive record.

Second, as a result of the Chief FOIA Officer's review of OSHRC's FOIA operations, OSHRC proposes to revise its regulations to further clarify its policies and procedures relating to the processing of FOIA requests and the administration of its FOIA operations. These proposed revisions include changes to the description of the OSHRC reading rooms and to OSHRC fee policies.

Accordingly, OSHRC proposes to revise its regulations implementing the FOIA and put them out for public comment. The specific amendments that OSHRC proposes to each section of 29 CFR part 2201 are discussed hereafter in regulatory sequence.

II. Proposed Regulatory Revisions

In 29 CFR 2201.3, OSHRC proposes revising the description of the Chief FOIA Officer’s duties in paragraph (a) to reflect the more detailed description of those duties set forth under the OPEN Government Act. 5 U.S.C. 552(k).

Additionally, OSHRC proposes adding a description of the FOIA Public Liaison’s duties in paragraph (c) to reflect the responsibilities described in the OPEN Government Act. 5 U.S.C. 552(a)(6)(B)(i), (l). In paragraph (d) OSHRC proposes minor revisions to the FOIA Service Center’s contact information. OSHRC also proposes revising paragraph (d) to add information about status requests provided by the FOIA Service Center. 5 U.S.C. 552(a)(7)(B).

In 29 CFR 2201.4, OSHRC proposes revising paragraph (c) to clarify the type of records publicly available in the e-FOIA Reading Room and where to access them. OSHRC proposes changing paragraph (d) to explain the procedures for using OSHRC’s on-site e-FOIA Reading Room. OSHRC also proposes revising its definition of “Representative of the news media, or news media requester” in paragraph (e) to reflect the