

operation of commercial vehicles on our Nation's highways, will continue to insist that all carriers operating with self-insurance authority maintain "Satisfactory" safety ratings. Nevertheless, I will authorize an extension of the self-insurance authorization to March 7, 1996 for the sole purpose of conducting another compliance review of the carrier's operations.

Direct should understand that failure to obtain a "Satisfactory" safety rating during the extension period will not provide support for a further extension. Accordingly, the carrier should begin the process of securing commercial insurance coverage in the event its self-insurance authorization terminates.

It is ordered: 1. A waiver of the automatic 30-day period for expiration of petitioner's self-insurance authority and an extension of the self-insurance authorization until March 7, 1996, is hereby granted.

2. The terms and conditions of the self-insurance authorization activated August 1, 1995, will remain in effect throughout the extension period.

3. As of 12:01 A.M. on March 8, 1996, in the absence of the issuance of a "Satisfactory" safety rating, Petitioner's self-insurance authorization will terminate without further order of the FHWA.

4. A copy of this decision is to be filed in Docket No. MC-176440 and all sub numbers thereunder.

5. This decision is effective when served.

By the Federal Highway Administration.

John F. Grimm,

Director, Office of Motor Carrier Information Analysis.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards

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

ACTION: Denial of petition for rulemaking.

SUMMARY: This notice denies the petition by John Chevedden for the issuance of a mandatory Federal regulation that would require all new cars to be manufactured with windshield edge coating in the space between the center rear view mirror and the lowered sun visors. The petitioner stated that this will prevent blinding glare from the sun in the early morning and late afternoon. According to the petitioner the targeted windshield coating is currently standard on the Hyundai Accent. Based upon the

information provided by the petitioner and other information available to NHTSA, the agency has concluded that there is insufficient evidence to support a mandatory Federal requirement that all new cars be manufactured with a windshield shade band that is identical to the shade band currently installed on the Hyundai Accent.

FOR FURTHER INFORMATION CONTACT:

Kenneth O. Hardie, Safety Performance Standards, NHTSA, 400 Seventh Street, SW, Washington, DC 20590. Mr. Hardie's telephone number is (202) 366-6987.

SUPPLEMENTARY INFORMATION: By letter dated May 21, 1997, John Chevedden of Redondo Beach, California, petitioned NHTSA to issue a new rule that would require that all new cars be manufactured with windshield edge coating in the space between the center rear view mirror and the lowered sun visors. Mr. Chevedden's petition stated that the targeted windshield coating is currently standard on the Hyundai Accent. Mr. Chevedden stated that this will prevent blinding sun glare and enhance safety by reducing collisions in the early morning and late afternoon sun.

The specific area of the windshield that Mr. Chevedden's petition addresses is called the "glazing shade band," *i.e.*, the area immediately adjacent to and below the top edge of the vehicle glazing, through which light transmission is less than that required for glazing that are requisite for driving visibility, as defined in ANSI Z26.1. ANSI Z26.1 is the *American National Standard for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways; Safety Code*. Examples of shade bands are:

a. Laminated Safety Glass—A color band in the laminated product formed by the application of a dye or pigment to the interlayer material prior to lamination.

b. Tempered Safety Glass—A pattern comprised of lines and spaces, or dots and voids, printed into the glass surface from a durable opaque or translucent material.

Mr. Chevedden asked that all new cars be required to be manufactured with a windshield edge coating (windshield shade band) identical to that which is installed on the Hyundai Accent. Federal law requires that the area of window requisite for driving visibility have light transmittance of not less than 70%. Motor vehicle manufacturers place a mark on the windshield designating the AS1 line. The windshield below that line is "requisite for driving visibility" and

must comply with the 70% light transmittance requirement. Federal law does not specify any minimum light transmittance for the windshield above the AS1 line. Thus, manufacturers are free to install any shade band design they choose above that line.

In addition to the Federal limit that windshield shade bands can only extend down to the AS1 mark, there are some States that have motor vehicle regulations that prohibit the windshield shade band from extending downward from the top edge of the vehicle by more than six inches. Further, there is a voluntary standard for windshield shade bands promulgated by the Society of Automotive Engineers (SAE). This SAE standard is SAE J100, *Vehicle Glazing Shade Bands*. Although the use of the SAE Standards by anyone in the automotive industry is entirely voluntary, SAE standards are widely used by the automotive industry. All SAE Standards are submitted to the American National Standards Institute for recognition as American National Standards.

Mr. Chevedden petitioned to change the status quo and make the Hyundai Accent shade band design mandatory for all new cars, light trucks and sport utility vehicles. While NHTSA has carried out many suggestions from concerned citizens regarding motor vehicle safety, to change or impose a new Federal motor vehicle safety standard, NHTSA must present information to the public demonstrating that there is a safety problem with the current situation and that the proposed solution will address the problem and improve safety in a cost effective way. The petitioner provided no information to support his contention that there is a safety problem with the current situation or that his proposed solution will improve safety in a cost effective manner. NHTSA has no information indicating that the Hyundai Accent windshield shade band design is more effective than any other vehicle that is equipped with a windshield shade band, nor does the agency possess information regarding the efficacy of any shade band in reducing motor vehicle-related deaths and injuries. Absent such information, NHTSA has no basis for initiating a rulemaking proceeding.

After carefully considering the petition, NHTSA concludes that there is not a reasonable possibility that the order requested by the petitioner would be issued at the conclusion of a rulemaking proceeding. Accordingly, the petition is denied.

Authority: 49 U.S.C. 30103, 30111, 30162;
delegations of authority at 49 CFR 1.50 and
501.8.

Issued on: September 17, 1997.

L. Robert Shelton,

*Associate Administrator for Safety
Performance Standards.*

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