

public comment on proposed collections of information, including extensions and reinstatements of previously approved collections.

This document describes a collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 8, 2000.

ADDRESSES: Comments must refer to the docket and notice numbers cited at the beginning of this notice and be submitted to the Docket Section, Room PL401, 400 Seventh Street, SW., Washington, DC 20590. Please identify the proposed collection of information for which a comment is provided by referencing its OMB Clearance Number. It is requested, but not required, that 1 original plus 2 copies of the comments be provided. The Docket Section is open on weekdays from 9:30 a.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT: Complete copies of each request for collection of information may be obtained at no charge from Mr. William Holden, NHTSA, 400 Seventh Street, SW., Room 6124, Washington, DC 20590. Mr. Holden's telephone number is (202) 366-1566. Please identify the relevant collection of information by referring to its OMB Clearance Number.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

National Driver Register Reporting Requirement for 23 CFR Part 1327

Type of Request—Extension of clearance.

OMB Clearance Number—2127-0001.

Form Number—This collection of information uses no standard form.

Requested Expiration Date of

Approval—Three years from date of approval.

Summary of the Collection of Information—The National Driver Register Act of 1982 (Pub. L. 97-364), as amended, mandates the Secretary of Transportation to establish and maintain a National Driver Register to assist chief driver licensing officials of participating states in exchanging information about the motor vehicle driving records of individuals. The Act requires the chief driver licensing official of each participating state to submit a report to the Secretary of each individual who is denied a motor vehicle operator's license by that State for cause; whose motor vehicle operator's license is revoked, suspended, or canceled by that State for cause; or who is convicted under the laws of that State of any of the following motor vehicle-related offenses or comparable offenses: (a) Operating a motor vehicle while under the influence of, or impaired by, alcohol or a controlled substance; (b) a traffic violation arising in connection with a fatal traffic accident, reckless driving, or racing on the highways; (c) failing to give aid or provide identification when involved in an accident resulting in death or personal injury; (d) perjury or knowingly making a false affidavit or statement to officials about activities governed by a law or regulation on the operation of a motor vehicle. The Act also requires the chief driver licensing officials of participating states to check the NDR on all first time above-minimum age driver license applicants in their states.

The Commercial Motor Vehicle Safety Act of 1986 requires the states to check the NDR for all applicants for Commercial Driver Licenses.

Description of the need for the information and proposed use of the information—The purpose of the NDR, and thus this information collection activity, is to prevent the issuance of driver's licenses to problem drivers in order to enhance traffic safety. Through amendments to the NDR Act, the activity also serves to prevent the certification of airline pilots, merchant

mariners, locomotive operators, and individual employed motor vehicle operators if they are problem drivers.

The information will be used by NHTSA in exercising its statutory authority to operate the NDR. Without this information, states could issue licenses to individuals who are suspended or revoked in other states, or could issue a duplicate license to an individual who is licensed in another state, allowing them to spread their violations over a number of licenses.

Description of Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)—The 51 respondents are the State driver licensing agencies, including the District of Columbia. The frequency of response depends on how each state chooses to update the NDR master file. File updates can be daily or monthly.

Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting from the Collection of Information—The agency estimates the reporting burden for this year will be \$37,040 for the 51 jurisdictions. The reporting burden is based on information systems personnel salaries and related expenses.

Authority: 49 U.S.C. 30304; delegation of authority at 49 CFR 1.50.

Rose A. McMurray,

Associate Administrator for Traffic Safety Programs.

[FR Doc. 00-5806 Filed 3-8-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2000-6947 Notice 1]

Subaru of America, Inc.; Receipt of Application for Determination of Inconsequential Non-Compliance

Subaru of America, Inc. (Subaru) of Cherry Hill, New Jersey, has applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301 "Motor Vehicle Safety" for a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 209, "Seat Belt Assemblies," on the basis that the noncompliance is inconsequential to motor vehicle safety. Subaru has filed a report of noncompliance pursuant to 49 CFR Part 573 "Defects and Noncompliance Report."

This notice of receipt of the application is published under 49 U.S.C. 30118 and 30120 and does not

represent any agency decision or other exercise of judgement concerning the merits of the application.

Description of Noncompliance

Replacement seat belt assemblies had been packaged by Subaru without instruction sheets required under 49 CFR 571.209, S4.1(k) and (1). All of the seat belt assemblies involved meets all other requirements of FMVSS No. 209.

Approximately 522 sets of replacement seat belt assemblies manufactured and sold were involved.

Supporting Information as Submitted by Subaru

Supporting Data, Views and Arguments:

In accordance with FMVSS 209, S4.1 (k) replacement seat belt assemblies must be accompanied by installation instructions for installing the assembly in a motor vehicle. These instructions "shall state whether the assembly is for universal installation or for installation only in specifically stated motor vehicles and shall include at least those items specified in SAE Recommended Practice J800c, Motor Vehicle Seat Belt Installation, November 1973."

As Subaru understands SAE Recommended Practice J800c, it deals primarily with the threading of webbing and location and drilling of anchorage holes and is not relevant here since all affected Subaru vehicles have pre-existing anchorage holes. All of the affected replacement seat belt assemblies are supplied ready for use with fully threaded webbing. Subaru believes that S4.1 (k) is intended to prevent the mismatch of a seat belt assembly in the wrong model vehicle or the wrong seating position and prevent improper installation of a seat belt at the correct position.

Subaru replacement seat belts are offered as exclusive parts, unique to each model, vehicle configuration and seating position. Those parts have specific part numbers identified in Subaru parts catalogs with illustrations. The item numbers attached to each illustration enable the ordering dealer to specify the replacement seat belt assembly he is ordering by referring to the corresponding page which shows the applicable part number, specific vehicle model type, location, applicable model year, etc. When ordering Subaru replacement parts, the dealer must refer to the Subaru parts catalog to identify the ordering part number with the information on the specific vehicle model type, location and model year. Each replacement seat belt assembly is packaged individually with a specific part number label clearly attached on the package to ensure shipping the correct parts. Also, the dealer routinely checks to see that the part he received matches the one he ordered.

There are a variety of significant physical differences among Subaru seat belt assemblies, which include various mounting configuration and location differences;

differences in buckle latch plate configuration and retractor locking device; webbing length and housing configuration differences, and differences in motorized seat belt guide track shapes.

Given these variances in physical properties, it is not possible that a mechanic would install a replacement seat belt assembly in the wrong model vehicle or the wrong seating position.

Subaru believes that the ordering and shipping procedures for Subaru replacement seat belts make it highly unlikely that the wrong seat belt assembly will be delivered to a dealer and, should the wrong seat belt be delivered, the above mentioned physical differences make it virtually impossible to install the seat belt in the wrong model vehicle or at an incorrect seating position.

Subaru dealers install replacement seat belt assemblies in accordance with the instructions in Subaru service manuals provided to every Subaru dealer and are widely available to the public and independent repair facilities. Therefore, improper installation of replacement seat belt assemblies is highly unlikely.

In most cases of installation of a replacement seat belt, the installer will first remove the seat belt that needs to be replaced from the vehicle. After removal of the old seat belt, the installer will then reverse the steps of removal to properly locate and install the replacement belt. There is no need to specify instructions for threading the webbing or finding locations for and drilling anchorage holes because replacement seat belt assemblies are furnished ready for installation in the vehicle preexisting anchorage holes with a few simple steps.

FMVSS 209, S4.1 (1) requires instruction addressing the importance of wearing seat belt "snugly and properly located on the body" and information about seat belt maintenance (The requirements of S4.1 (1) pertaining to threading and unlocking retractors do not apply to Subaru's seat belt designs). Since Subaru's owner's manual already provides proper usage and maintenance information to the vehicle owner and operator, incorrect usage and maintenance by the vehicle owner and operator is highly unlikely.

Upon discovery of the subject noncompliance, Subaru has taken action to ensure that all replacement seat belt assemblies shipped in the future are packaged with the required installation instructions.

Subaru has corrected all the replacement seat belt assembly inventory for shipment to dealers and will provide additional instruction documents to dealers with inventory subject to the noncompliance.

Replacement seat belt assemblies sold at retail to customers have not resulted in owner complaints as a result of this inconsequential noncompliance.

Interested persons are invited to submit written data, views and arguments on the petition of Subaru, described above. Comments should refer to the Docket Number and be submitted

to: Docket Management, National Highway Traffic Safety Administration, Room PL 401, 400 7th Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent practicable. When the application is granted or denied, a Notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: April 10, 2000.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: March 6, 2000.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 00-5833 Filed 3-9-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Actions on Exemption Applications

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice of actions on exemption applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 197, Subpart B), notice is hereby given of the actions on exemption applications in September-December 1999. The modes of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions. It should be noted that some of the sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on March 3, 2000.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials, Exemptions and Approvals.