

such a system would afford the occupant all of the crash protection provided by the standard and only exclude a feature intended to provide comfort and convenience. Laguna argued that a prisoner who's handcuffed behind his/her back would be unable to fasten the safety belts. Therefore, in such a situation, a feature intended to provide comfort and convenience would not make the occupant more likely to fasten the safety belt.

In support of its petition, Laguna provided information about a special rear seat and safety belt system it has designed for police cars. The design includes two outboard integral lap and shoulder belt systems which use the same anchor point locations as conventional belt systems in the forward-facing rear outboard seats in current cars.

However, there are two significant differences between the Laguna belt system and a conventional safety belt system. First, the Laguna system includes a manual belt tightening system instead of an emergency locking retractor. Second, the Laguna system uses two buckles instead of one and buckles in a different location than a conventional safety belt system. The ends of the lap and shoulder belt portions of the conventional safety belt system are permanently attached to the outboard anchorages. The end of the lap belt portion is attached to the lower anchorage and the end of shoulder belt portion is attached to the upper anchorage. The buckle is mounted at the anchorage near the center of the vehicle. The permanent attachment points and buckling points are reversed for the Laguna system. The middle of the Laguna belt system is permanently anchored at the anchorage near the center of the vehicle. The end of the lap belt portion buckles at the lower anchorage and the end of the shoulder belt buckles at the upper anchorage.

Laguna stated that its design eliminates the need for police officers to lean over a prisoner in the rear seat of the police car. This is partly attributable to the fact that both the lap belt and shoulder belt portions buckle at the outboard anchorages. Therefore, an officer need not lean over a prisoner to buckle the belt at an anchorage in the center of the vehicle, as would be the case with conventional belt systems. In addition, a large magnet is mounted on a floating sleeve that slides along the lap and shoulder belt portions. When the belts are not in use, the magnet attaches the belts to the metal cage partition that typically separates the front and rear portions of police cars. When the magnet is released from the metal cage

partition, the sleeve falls to the center mounting position which allows the belt to properly separate into the lap/shoulder portions. When a prisoner is placed in the rear seat, the officer can use his or her forearm to remove the magnetically attached belts from the metal cage partition and buckle the belts around the prisoner, without at any time leaning over the prisoner.

After considering the issues raised by Laguna, NHTSA has tentatively concluded that Standard No. 208 should be amended to provide more flexibility with respect to the design and performance of safety belts installed at forward-facing rear outboard seating positions of law enforcement vehicles. The agency recognizes that the use of vehicles by law enforcement officers to transport prisoners creates special problems.

As requested by Laguna, NHTSA is proposing to permit the use of a manual tightening system instead of an emergency locking retractor in law enforcement vehicles. The agency believes that there is the need to limit the movement of a safety belted prisoner. Further, as noted by the petitioner, while the comfort and convenience benefits of an emergency locking retractor normally have the effect of helping to induce belt use, they do not have that effect on handcuffed or otherwise bound prisoners who are being involuntarily transported in law enforcement vehicles. The agency notes that a safety belt system incorporating a manual tightening system may result in an increase in the number of prisoners who are safety belted while being transported.

NHTSA is also proposing to exclude safety belts installed at forward-facing rear outboard seating positions of law enforcement vehicles from a requirement in Standard No. 208 which specifies that lap and shoulder belts must release at a single point. That requirement provides increased convenience and quicker release. The Laguna design, however, would not meet the requirement since it has two buckles. As discussed above, the Laguna system incorporates two buckles so that the belt system can be operated from the outboard side of the prisoner. This design feature eliminates the need for police officers to lean over the prisoner to either buckle or unbuckle a prisoner's belt. The agency believes that the special need for police officers to avoid leaning over a prisoner to operate the prisoner's safety belt buckle outweighs the benefits of having only a single buckle.

NHTSA recognizes that forward-facing rear outboard seating positions of

law enforcement vehicles may be used by non-prisoners as well as prisoners. In addition, law enforcement vehicles are typically sold to the general public after their use as law enforcement vehicles. The agency notes, however, that under the proposal, occupants of the seats would continue to have the same three-point belt protection as occupants of non-law enforcement vehicles. The only differences would relate to comfort, convenience and quickness of release. The agency believes that these differences do not outweigh the special needs of law enforcement officers. However, NHTSA does request comments on whether a label should be required to advise rear seat passengers to adjust the safety belt for a snug fit. Commenters are asked to address the wording of such a label and its potential effectiveness. Depending on the comments, the agency may, or may not, include a requirement for such a label in a final rule.

While NHTSA would not have the authority to require law enforcement agencies to replace the special rear seat safety belt systems with conventional Type 2 safety belts when a vehicle was subsequently sold to the public, the agency would strongly recommend that law enforcement agencies do so. Installation of conventional Type 2 safety belt systems, with an emergency locking retractor and a single point of release, would afford subsequent owners all of the crash protection provided by the agency's crash protection standards. In addition, these safety belt systems would meet the comfort and convenience requirements of those standards, increasing the likelihood that the safety belts would be used.

While the special Laguna design is for "police cars," that company requested that its recommended exclusion be provided for "police and/or public safety vehicles used, exclusively or not, for the transport of persons handcuffed or restrained and in the custody, care, and control of a law enforcement officer." NHTSA believes that the proposed exclusions should apply to law enforcement vehicles generally, rather than to police "cars," since the rationale is not dependent on vehicle type, i.e., passenger car or multipurpose passenger vehicle.

The proposed regulatory text defines "law enforcement vehicle" as any vehicle manufactured primarily for use by the United States or by a State or local government for police or other law enforcement purposes. This definition is derived from the definition of "emergency vehicle," set forth at 49 U.S.C. 32902(e), for purposes of the