

would be effective 30 days after its publication in the **Federal Register**.

### Rulemaking Analyses

#### *Executive Order 12866 and DOT Regulatory Policies and Procedures*

This rulemaking action has not been reviewed under Executive Order 12866. It has been determined that the rulemaking action is not significant under Department of Transportation regulatory policies and procedures. The effect of the rulemaking action would be to allow an alternative headlighting system. It would not impose any additional burden upon any person. A final rule based on such an action would reduce costs both to manufacturers and consumers. Because ballasts would no longer have to be integral with the light source, manufacturers could use a simpler, less expensive connector. Consumers could replace separate elements of an HID-replaceable light source headlamp system as compared with the present regulation which requires replacement of the whole unit. Impacts of the rule are, therefore, so minimal as not to warrant preparation of a full regulatory evaluation.

#### *Regulatory Flexibility Act*

The agency has also considered the effects of this rulemaking action in relation to the Regulatory Flexibility Act. I certify that this rulemaking action would not have a significant economic effect upon a substantial number of small entities. Motor vehicle and lighting equipment manufacturers are generally not small businesses within the meaning of the Regulatory Flexibility Act. Further, small organizations and governmental jurisdictions would not be significantly affected as the price of new motor vehicles should not be impacted. Accordingly, no Regulatory Flexibility Analysis has been prepared.

#### *Executive Order 12612 (Federalism)*

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 on "Federalism." It has been determined that the rulemaking action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### *National Environmental Policy Act*

NHTSA has analyzed this rulemaking action for purposes of the National Environmental Policy Act. The rulemaking action would not have a significant effect upon the environment as it does not affect the present method

of manufacturing motor vehicle lighting equipment.

#### *Civil Justice Reform*

This rulemaking action would not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a state may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard. Under 49 U.S.C. 30163, a procedure is set forth for judicial review of final rules establishing, amending, or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

#### *Paperwork Reduction Act*

The reporting and recordkeeping requirement associated with part 564 have been approved by the Office and Management and Budget in accordance with 44 U.S.C. chapter 35. The OMB control number is 2127-0563.

### List of Subjects in 49 CFR Parts 564 and 571

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, it is proposed that 49 CFR part 564 be amended as follows:

### PART 564—REPLACEABLE LIGHT SOURCE INFORMATION

1. The authority citation for part 564 would continue to read as follows:

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117, 30166; delegation of authority at 49 CFR 1.50.

2. Part 564 would be amended by revising paragraphs 564.1, 564.2, 564.5(a), (b), (c) and (d)(1), and Section IX of appendix A, and by adding new appendix B, to read as follows:

#### **§ 564.1 Scope.**

This part requires the submission of dimensional, electrical specification, and marking/designation information, as specified in Appendix A and Appendix B of this part, for original equipment replaceable light sources used in motor vehicle headlighting systems.

#### **§ 564.2 Purposes.**

The purposes of this part are achieved through its Appendices:

(a) The purpose of Appendix A of this part is to ensure the availability to replacement light source manufacturers of the manufacturing specifications of

original equipment light sources and thus ensure that replacement light sources are interchangeable with original equipment light sources and provide equivalent performance.

(b) The purpose of Appendix B of this part is to ensure that original equipment light sources are replaceable and that replacement light source equipment provide equivalent performance, and that redesignated or newly developed light sources are designated as distinct and different and noninterchangeable with previously existing light sources.

#### **§ 564.5 Information filing; agency processing of filings.**

(a) Each manufacturer of a motor vehicle, original equipment headlamp, or original equipment headlamp replaceable light source, which intends to manufacture a replaceable light source as original equipment or to incorporate a replaceable light source in its headlamps or motor vehicles, shall furnish the information specified in appendix A or appendix B of this part to: Associate Administrator for Safety Performance Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW, Washington, DC 20590. Attn: *Replaceable Light Source Information* Docket No. 93-11 (unless the agency has already filed such information in Docket No. 93-11). If the rated average laboratory life of the light source is not less than 2,000 hours, the manufacturer may furnish the information specified in either Appendix A or Appendix B of this part.

(b) The manufacturer shall submit such information not later than 60 days before it intends to begin the manufacture of the replaceable light source to which the information applies, or to incorporate the light source into a headlamp or motor vehicle of its manufacture. Each submission shall consist of one original set of information and 10 legible reproduced copies, all on 8½ by 11-inch paper.

(c) The Associate Administrator promptly reviews each submission and informs the manufacturer not later than 30 days after its receipt whether the submission has been accepted. Upon acceptance, the Associate Administrator files the information in Docket No. 93-11. The Associate Administrator does not accept any submission that does not contain all the information specified in appendix A or appendix B of this part, or whose accompanying information indicates that any new light source which is the subject of a submission is interchangeable with any replaceable light source for which the agency has previously filed information in Docket No. 93-11.