a further amendment removing the insurer's name from the appendices.

Notice of Proposed Rulemaking

1. Insurers of Passenger Motor Vehicles

Based on the 1992 calendar year A. M. Best data for market shares, NHTSA proposes to amend the list in appendix A of insurers which must report because each had at least one percent of the motor vehicle insurance premiums on a national basis. The list was last amended in a notice published on December 1, 1993 (See 58 FR 63299). One company, United States F & G Group, included in the December 1993 listing, is proposed to be removed from appendix A. Three companies, General ACC Group, Hanover Insurance Companies, and Safeco Insurance Companies, that were not listed in appendix A, are proposed to be added.

Each of the 19 insurers listed in appendix A in this notice would be required to file a report not later than October 25, 1995, setting forth the information required by part 544 for each State in which it did business in the 1992 calendar year. As long as those 19 insurers remain listed, they would be required to submit reports by each subsequent October 25 for the calendar year ending slightly less than 3 years before.

Appendix B lists those insurers that would be required to report for particular States for calendar year 1992, because each insurer had a 10 percent or greater market share of motor vehicle premiums in those States. Based on the 1992 calendar year A.M. Best data for market shares, it is proposed that one company, Kansas Farm Bureau Group, reporting on its activities in the State of Kansas be added to appendix B.

The 12 insurers listed in appendix B of this notice would be required to report on their calendar year 1992 activities in every State in which they had a 10 percent or greater market share. These reports must be filed no later than October 25, 1995, and set forth the information required by part 544. As long as those 12 insurers remain listed, they would be required to submit reports on or before each subsequent October 25 for the calendar year ending slightly less than 3 years before.

2. Rental and Leasing Companies

Based on information in *Automotive* Fleet Magazine and Travel Trade Business Travel News for 1992, the most recent year for which data are available, NHTSA proposes no changes be made in appendix C. Accordingly, each of the 18 companies (including franchisees and licensees) listed in this notice in

appendix C would be required to file reports for calendar year 1992 no later than October 25, 1995, and set forth the information required by part 544. As long as those 18 companies remain listed, they would be required to submit reports on or before each subsequent October 25 for the calendar year ending slightly less than 3 years before.

NHTSA notes that on July 5, 1994, the Cost Savings Act, (including Title VI—Theft Prevention) was revised and codified "without substantive change." The passenger motor vehicle theft insurers' reporting provisions, formerly at 15 U.S.C. 2032 are now at 49 U.S.C. 33112. In this NPRM, NHTSA proposes to make minor technical amendments to make part 544 reflect its changed statutory authority.

Regulatory Impacts

1. Costs and Other Impacts

This notice has not been reviewed under Executive Order 12866. NHTSA has considered the impact of this proposed rule and has determined the action not to be "significant" within the meaning of the Department of Transportation's regulatory policies and procedures. This proposed rule implements the agency's policy of ensuring that all insurance companies that are statutorily eligible for exemption from the insurer reporting requirements are in fact exempted from those requirements. Only those companies that are not statutorily eligible for an exemption are required to file reports.

NHTSA does not believe that this proposed rule, reflecting more current data, affects the impacts described in the final regulatory evaluation prepared for the final rule establishing part 544. (52 FR 59, January 2, 1987) Accordingly, a separate regulatory evaluation has not been prepared for this rulemaking action. Using the cost estimates in the 1987 final regulatory evaluation, the agency estimates that the cost of compliance will be about \$50,000 for any insurer that is added to appendix A, about \$20,000 for any insurer added to appendix B, and about \$5,770 for any insurer added to appendix C. If this proposed rule is made final, for appendix A, the agency would remove one insurer and add three insurers; for appendix B, the agency would add one insurer; and for appendix C, the agency would make no changes. The agency therefore estimates that the net effect of this proposal, if made final, would be a cost increase to insurers, as a group, of approximately \$120,000.

Interested persons may wish to examine the 1987 final regulatory

evaluation. Copies of that evaluation have been placed in Docket No. T86–01; Notice 2. Any interested person may obtain a copy of this evaluation by writing to NHTSA, Docket Section, Room 5109, 400 Seventh Street, SW., Washington, DC 20590, or by calling at (202) 366–4949.

2. Paperwork Reduction Act

The information collection requirements in this proposed rule have been submitted to and approved by the Office of Management and Budget (OMB) pursuant to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) This collection of information has been assigned OMB Control Number 2127–0547 ("Insurer Reporting Requirements") and has been approved for use through October 31, 1996.

3. Regulatory Flexibility Act

The agency has also considered the effects of this rulemaking under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.) I certify that this proposed rule would not have a significant economic impact on a substantial number of small entities. The rationale for the certification is that none of the companies proposed to be included on appendices A, B, or C would be construed to be a small entity within the definition of the RFA. "Small insurer" is defined in part under 49 U.S.C. 33112 as any insurer whose premiums for motor vehicle insurance account for less than one percent of the total premiums for all forms of motor vehicle insurance issued by insurers within the United States, or any insurer whose premiums within any State, account for less than 10 percent of the total premiums for all forms of motor vehicle insurance issued by insurers within the State. This notice would exempt all insurers meeting those criteria. Any insurer too large to meet those criteria is not a small entity. In addition, in this rulemaking, the agency proposes to exempt all "self insured rental and leasing companies" that have fleets of fewer than 50,000 vehicles. Any self insured rental and leasing company too large to meet that criterion is not a small entity.

4. Federalism

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