manufacturer changes to internal computer calibrations. However, a manufacturer need only provide internal calibrations to the service and repair industry to the extent it has provided such information to its dealerships.

Emission-related information includes, but is not limited to, information regarding any system, component or part of a vehicle that controls emissions and any system, component and/or part associated with the powertrain system, including, but not limited to, the engine, the fuel system and ignition system. Information must also be provided for any system, component, or part that is likely to impact emissions, such as transmission systems. In addition, EPA will monitor the results of inspection and maintenance (I/M) programs for failures resulting from systems, components or parts other than those described here. If EPA determines that a substantial number of I/M failures are occurring due to systems, components or parts other than those described here, the extent of emission-related service information will be expanded to include such items. EPA will notify any affected manufacturer(s) of its concerns and will allow such manufacturers to reply to these concerns prior to making any such determinations. Affected manufacturers will be notified of any such EPA determinations.

C. Cost of Service Information

Emission-related service information is to be made available at a reasonable price. This means the fair market price taking into consideration factors such as the cost to the manufacturer of preparing and/or providing the information, the type of information, the format in which it is provided, the price charged by other manufacturers for similar information, the differences that exist among manufacturers (e.g., the size of the manufacturer), the quantity of material contained in a publication, the detail of the information, the cost of the information prior to publication of this final rule, volume discounts, and inflation. EPA is not requiring that manufacturers sell information to aftermarket service providers at the lowest price charged to their dealerships.

D. Distribution of Service Information and Timeliness

Today's rule allows each manufacturer to distribute emissionrelated service and repair information through the distribution mechanism it determines to be the most efficient and cost-effective. There is no requirement

that manufacturers use the same distribution mechanism for dealers and aftermarket service providers. However, each manufacturer will be responsible for up-loading a complete index of required information to NTIS' (National Technical Information Service) FedWorld.7 Manufacturers are required to make available on FedWorld an index of all information that falls within the definition of emission-related service, diagnosis and repair information.8 This includes, but is not limited to, manuals, TSBs, all training materials, and videos. Each manufacturer title listed in the index must adequately describe the contents of the document to which it refers. If a title does not adequately describe the contents, the manufacturer shall provide a brief description that enables the user to determine whether an item contains the information being sought. If requested to do so, FedWorld will accept orders for service information and transmit them to the manufacturer's designated information distributor. The party identified in FedWorld by a manufacturer as the distributor of the manufacturer's emission-related service information can be the manufacturer itself, a publisher/distributor, or other entity that can provide the information as required.

In addition to the index, manufacturers are required to list a phone number and address where aftermarket service providers can call or write to obtain the desired information. Manufacturers must also provide the price of each item listed, as well as the price of items ordered on a subscription basis.

Manufacturers are required to update the FedWorld index on the first and third Monday of each month or as otherwise specified by the Agency. A manufacturer may opt to update its FedWorld index more frequently. In addition, each manufacturer is responsible for paying its share of the annual cost of FedWorld. Such costs are to be paid by each manufacturer; however, payments can be made through various arrangements, e.g., a group of manufacturers can elect to determine what they would owe if paid individually and then divide that amount based on sales or other factors. The annual cost of maintaining the FedWorld database is approximately

\$70,000 to \$75,000. To determine the cost to each manufacturer, FedWorld will divide the total cost by the number of participating manufacturers.

Manufacturers are responsible for ensuring that the party shipping the information does so within a specified time period, i.e., within one regular business day of receiving an order. Distributors are encouraged to provide by fax items which, in their entirety, are less than 20 printed pages, such as TSBs. Also, the distributor is required to send the information by overnight delivery if the ordering party requests it and assumes the cost of delivery.

The search format to be used by FedWorld, e.g., manufacturer, MY, vehicle make, and so forth, will be determined by FedWorld shortly after publication of this rule and, to the extent possible, will take into consideration suggestions from EPA, manufacturers, and aftermarket service providers.

Each manufacturer has 120 days following publication of this rule to upload its index and meet the above requirements for providing all required service information to aftermarket service providers, facilities, and others for 1994 and later MY vehicles which have been offered for sale by that date. For vehicle models introduced more than 120 days after promulgation of these regulations, manufacturers are responsible for providing service information to aftermarket service providers, facilities, and others, at the same time it is made available to dealerships. Thereafter, to the extent there are changes, emission-related service information for MY 1994 and later vehicles which becomes available shall be added to the index at the next scheduled mandated update period, i.e., first or third Monday of each month.

Since independent technicians often work on many makes of vehicles, it is important for them to have access to condensed versions of service information. Therefore, EPA encourages the manufacturers to enter into agreements with information intermediaries in a manner which ensures that condensed information is available to aftermarket service providers in a timely manner and at a reasonable cost. Since information is available in its entirety from sources identified in FedWorld, manufacturers are not responsible for condensed information published by intermediaries or other third parties. Manufacturers are, however, responsible for errors in their own materials.

EPA is not issuing any regulations in this rule that specifically require manufacturers to provide information to

⁷NTIS operates FedWorld, an online computer system that allows public access to government and other documents. FedWorld can be accessed for up to three hours a day at no charge by using a modem to dial (703) 321–3339 or by using the Internet telnet command to connect to fedworld.gov.

⁸This requirement does not apply to indirect information, which is discussed below.