

paragraph 3 of the "Now Therefore" clause, that the principal shall not release a vehicle before the 30th calendar day, if the principal has received written notice from the Administrator that "no" inspection is required. The correct word is "an". Appendix B is modified to reflect these two comments. Conforming amendments are also made to 49 CFR 591.6(c).

As written, both Appendix A and Appendix B permit a Registered Importer to import a single vehicle under their respective bond provisions (Appendix A also specifies the bond for individuals importing a single vehicle pursuant to a contract with a Registered Importer). Because this is redundant, and because the terms and obligations affecting the importation of a single vehicle by a Registered Importer are identical under both forms of bonds, NHTSA is also amending Appendix B to remove references to the importation of a single vehicle.

Effective Date

NHTSA has received no bonds in the form of Appendix B adopted in October 1994 and is therefore making this amendment effective 30 days after publication. Because of the need to ensure an uninterrupted flow of commerce, and because the rule imposes no additional burden upon any party, it is hereby found that an effective date earlier than 180 days after issuance is in the public interest, and the final rule is effective 30 days after publication in the Federal Register.

Rulemaking Analyses

A. Executive Order 12866 (Federal Regulation) and DOT Regulatory Policies and Procedures

This notice has not been reviewed under E.O. 12866. After considering the impacts of this rulemaking action, NHTSA has determined that the action is not significant within the meaning of the Department of Transportation regulatory policies and procedures. The only substantive change that this final rule makes is to remove a redundancy in bond availability to registered importers. The impacts are so minimal as not to warrant the preparation of a full regulatory evaluation.

B. Regulatory Flexibility Act

The agency has also considered the effects of this action in relation to the Regulatory Flexibility Act. The RIs are small businesses within the meaning of the Regulatory Flexibility Act. However, for the reasons discussed above under E.O. 12866 and the DOT Policies and

Procedures, I certify that this action would not have a significant economic impact upon "a substantial number of small entities." The removal of an option has no substantive effect since the obligation is identical whether or not the option exists. Governmental jurisdictions will not be affected at all since they are generally neither importers nor purchasers of nonconforming imported motor vehicles.

C. Executive Order 12612 (Federalism)

The agency has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 "Federalism" and determined that the action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

D. National Environmental Policy Act

NHTSA has analyzed this action for purposes of the National Environmental Policy Act. The action will not have a significant effect upon the environment because it is anticipated that the annual volume of motor vehicles imported will not vary significantly from that existing before promulgation of the rule.

E. Civil Justice Reform

This final rule will 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. A procedure is set forth in 49 U.S.C. 30161 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.

List of Subjects in 49 CFR Part 591

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, 49 CFR part 591 is amended as follows:

PART 591—IMPORTATION OF VEHICLES AND EQUIPMENT SUBJECT TO FEDERAL SAFETY, BUMPER, AND THEFT PREVENTION STANDARDS

1. The authority citation for part 591 is revised to read as follows:

Authority: Pub. L. 100-562, 49 U.S.C. 322(a), 30117; delegation of authority at 49 CFR 1.50.

2. Section 591.4 is amended by revising the introductory text to read as follows:

§ 591.4 Definitions.

All terms used in this part that are defined in 49 U.S.C. 30102, 32101, 32301, 32502, and 33101 are used as defined in those sections except that the term "model year" is used as defined in part 593 of this chapter.

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3. Section 591.6 is amended by revising paragraph (c) to read as set forth below:

§ 591.6 Documents accompanying declarations.

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(c) A declaration made pursuant to paragraph § 591.5(f), and under a bond for the entry of a single vehicle, shall be accompanied by a bond in the form shown in Appendix A, in an amount equal to 150% of the dutiable value of the vehicle, or, if under bond for the entry of more than one vehicle, shall be accompanied by a bond in the form shown in Appendix B and by Customs Form CF 7501, for the conformance of the vehicle(s) with all applicable Federal motor vehicle safety and bumper standards, or, if conformance is not achieved, for the delivery of such vehicle to the Secretary of the Treasury for export at no cost to the United States, or for its abandonment.

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Appendix A—Section 591.5(f) Single Entry Bond

5. The title of Appendix A is revised to read as follows:

Appendix A—Section 591.5(f) Bond for the Entry of a Single Vehicle

6. Appendix B is revised to read as follows:

Appendix B—Section 591.5(f) Bond for the Entry of More Than a Single Vehicle

Department of Transportation—National Highway Traffic Safety Administration—Bond To Ensure Conformance With U.S. Federal Motor Vehicle Safety and Bumper Standards

(To redeliver vehicles, to produce documents, to perform conditions of release, such as to bring vehicles into conformance with all applicable U.S. Federal motor vehicle safety and bumper standards)

Know All People by These Presents That [principal's name, mailing address which includes city, state, ZIP code, and state of incorporation if a corporation], as principal, and [surety's name, mailing address which includes city, state, ZIP code and state of incorporation] are held and firmly bound unto the UNITED STATES OF AMERICA in the sum of [bond amount in words] dollars (§ [bond amount in numbers]) which represents 150% of the entered value of the following described motor vehicle(s) as determined by the U.S. Customs Service: