

amendment will enable them to identify potential issues more thoroughly and thus petition for reconsideration more effectively.

Effective Date

The amendments made in this final rule are effective 30 days after publication in the Federal Register. If there is a document with an open comment period on that date of publication, and there are 15 or more days remaining in the comment period, the deadline for filing a petition for extending the comment period is the 15th day before the end of that comment period. If there are less than 15 days remaining, the deadline for such a petition is the 10th day before the end of the comment period. For any final rule published less than 30 days before date of publication, the deadline for submitting petitions for reconsideration will be extended 15 days.

Other Amendments

The agency is republishing the entirety of Part 553 to consolidate the authority citations in one area. No other substantive amendments have been made to Part 553.

NHTSA is not soliciting public comment on this amendment to part 553, since it is a rule of agency procedure, and an opportunity for public comment is therefore not required under the Administrative Procedure Act.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." This action has been determined to be not "significant" under the Department of Transportation's regulatory policies and procedures. This final rule merely makes a procedural change, by amending the deadlines by which a petition for extension of comment period and a petition for reconsideration must be received by NHTSA. The final rule will have no effect on the substantive rights of any public commenters or other interested parties. For these reasons, NHTSA has determined that the effects of this rule are so minimal that a full regulatory evaluation is not required.

Regulatory Flexibility Act

NHTSA has also considered the impacts of this final rule under the

Regulatory Flexibility Act. For the reasons discussed above, I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (P.L. 96-511), there are no requirements for information collection associated with this final rule.

National Environmental Policy Act

NHTSA has also analyzed this final rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

Executive Order 12612 (Federalism)

NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform

This final rule does 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, except to the extent that the State requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure 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 553

Administrative practice and procedure.

In consideration of the foregoing, 49 CFR Part 553 is revised to read as follows:

PART 553—RULEMAKING PROCEDURES

Subpart A—General

- Sec.
- 553.1 Applicability.
 - 553.3 Definitions.
 - 553.5 Regulatory docket.
 - 553.7 Records.

Subpart B—Procedures for Adoption of Rules

- 553.11 Initiation of rulemaking.
- 553.13 Notice of proposed rulemaking.
- 553.15 Contents of notices of proposed rulemaking.
- 553.17 Participation of interested persons.
- 553.19 Petitions for extension of time to comment.
- 553.21 Contents of written comments.
- 553.23 Consideration of comments received.
- 553.25 Additional rulemaking proceedings.
- 553.27 Hearings.
- 553.29 Adoption of final rules.
- 553.31-553.33 [Reserved]
- 553.35 Petitions for reconsideration.
- 553.37 Proceedings on petitions for reconsideration.
- 553.39 Effect of petition for reconsideration on time for seeking judicial review.

Appendix to Part 553—Statement of Policy: Action on Petitions for Reconsideration

Authority: 49 U.S.C. 322, 1657, 30101, *et seq.*, 30301, *et seq.*, 30501, *et seq.*, 32101, *et seq.*, 32301, *et seq.*, 32501, *et seq.*, 32701, *et seq.*, 32901, *et seq.*, and 33101, *et seq.*; delegation of authority at 49 CFR 1.50.

Subpart A—General

§ 553.1 Applicability.

This part prescribes rulemaking procedures that apply to the issuance, amendment, and revocation of rules pursuant to Title 49, Subtitle VI of the United States Code (49 U.S.C. 30101, *et seq.*).

§ 553.3 Definitions.

Administrator means the Administrator of the National Highway Traffic Safety Administration or a person to whom he has delegated final authority in the matter concerned.

Rule includes any order, regulation, or Federal motor vehicle safety standard issued under Title 49.

Title 49 means 49 U.S.C. 30101, *et seq.*

§ 553.5 Regulatory docket.

(a) Information and data deemed relevant by the Administrator relating to rulemaking actions, including notices of proposed rulemaking; comments received in response to notices; petitions for rulemaking and reconsideration; denials of petitions for rulemaking and reconsideration; records of additional rulemaking proceedings under § 553.25; and final rules are maintained in the Docket Room, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590.

(b) Any person may examine any docketed material at the Docket Room at any time during regular business hours after the docket is established, except material ordered withheld from the