

report that, given sufficient lead time to modify these labels, any increased cost of labeling would be insignificant.

Accordingly, for the reasons given above, the Commission preliminarily certifies that the proposed Safety Standard for Bicycle Helmets, if promulgated, will not have any significant economic effect on a substantial number of small entities.

G. Environmental Considerations

Pursuant to the National Environmental Policy Act, and in accordance with the Council on Environmental Quality regulations and CPSC procedures for environmental review, the Commission has assessed the possible environmental effects associated with the proposed safety standard for bicycle helmets.

The Commission's regulations at 16 CFR 1021.5(c)(1) and (2) state that safety standards and product labeling or certification rules for consumer products normally have little or no potential for affecting the human environment. Preliminary analysis of the potential impact of this proposed rule indicates that the rule is not expected to affect preexisting packaging or materials of construction now used by manufacturers. Existing inventories of finished products would not be rendered unusable, since section 9(g)(1) of the CPSA provides that standards apply only to products manufactured after the effective date. Changes in coverage areas for helmets may require modification or replacement of existing injection molds. However, molds are routinely replaced due to wear or to changes in style, and modified molds could be incorporated in this replacement process. Thus, the quantity of discarded molds attributable to the rule is likely to be small. Especially in view of the statutory 1-year effective date, it is unlikely that significant stocks of current labels would require disposal.

The requirements of the standard are not expected to have a significant effect on the materials used in production or packaging, or on the amount of materials discarded due to the regulation. Therefore, no significant environmental effects are expected from the proposed rule if it is adopted. Accordingly, neither an environmental assessment nor an environmental impact statement is required.

H. Paperwork Reduction Act

As noted above, the requirements proposed below, if issued as a final rule, would require U.S. manufacturers and importers of bicycle helmets to conduct a reasonable testing program to ensure their products comply with the

standard. They are also required to keep records of such testing so that the Commission's staff can verify that the testing was conducted properly. This will enable the staff to obtain information indicating that a company's helmets comply with the standard, without having itself to test helmets. U.S. manufacturers and importers of bicycle helmets would also have to label their products with specified information.

For these reasons, the proposal published below contains "collection of information requirements" subject to the Paperwork Reduction Act of 1995, 15 U.S.C. 3501-3520, Pub. L. 104-13, 109 Stat. 163 (1995). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The control number may be displayed by publication in the Federal Register. Accordingly, the Commission has submitted the proposed collection of information requirements to OMB for review under section 3507(d) of the Paperwork Reduction Act of 1995. The title of the submission is "Safety Standard for Bicycle Helmets—Testing and Recordkeeping Requirements."

The Commission's staff estimates that there are about 30 manufacturers and importers subject to these collection of information requirements. There are an estimated 200 different models of bicycle helmets currently marketed in the U.S.

Industry sources advise the Commission's staff that the time that will be required to comply with the collection of information requirements will be from 100 to 150 hours per model per year. Therefore, the total amount of time required for compliance with these requirements will be 20,000 to 30,000 hours per year. However, these estimates are based on the amount of time that is currently expended in complying with the similar requirements that are in the various voluntary standards. Thus, the net burden of the proposed final collection of information requirements is expected to be insignificant, or at least a small fraction of the total hours given above. The Commission would like to receive comments on the activities and time required to comply with these requirements and how these differ from usual and customary current industry practices, on the accuracy of the Commission's burden estimate, and on how that burden could be reduced.

It is possible that firms will consider some of the records required to be provided to the Commission upon request to be trade secret or other

confidential commercial information. Under section 6(a)(2) of the CPSA, the Commission may not disclose information that contains or relates to a trade secret, or is of a type referred to in 18 U.S.C. 1905 or subject to 5 U.S.C. 552(b)(4). 15 U.S.C. 2055(a)(2). Under this section and 16 CFR 1015.18-.19, persons desiring confidential treatment for information must request that it not be disclosed. If the Commission's staff nevertheless determines that the information may be disclosed because it is not confidential, the person submitting the information will be given written notice at least 10 working days before the information is released. Thus, the submitter has an opportunity to seek judicial review of the Commission's determination before the information is released. Also, see 16 CFR part 1101. These procedures also apply to rulemaking comments for which the commenter seeks confidentiality.

Any person may also submit comments to OMB on these proposed collection of information requirements. OMB is required to make a decision concerning the collections of information contained in the proposed rule between 30 and 60 days after publication. Thus, although comments will be received by OMB until February 5, 1996, a comment to OMB is best assured of having its full effect if OMB receives it by January 5, 1996. Comments should be submitted to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Consumer Product Safety Commission. Persons filing comments with OMB are encouraged to send copies to the Commission's Office of the Secretary, with a caption or cover letter identifying the materials as comments submitted to OMB on the proposed collection of information requirements for bicycle helmets.

List of Subjects in 16 CFR Part 1203

Consumer protection, Bicycles, Incorporation by reference, Infants and children, Safety.

For the reasons given above, the Commission proposes to revise Part 1203 of Title 16 of the Code of Federal Regulations, to read as follows:

PART 1203—SAFETY STANDARD FOR BICYCLE HELMETS

Subpart A—The Standard

Sec.

- 1203.1 Scope and effective date.
- 1203.2 Purpose.
- 1203.3 Referenced documents.
- 1203.4 Definitions.
- 1203.5 Construction requirements - projections.
- 1203.6 Labeling and instructions.