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within the test region are valid test sites.

(3) *Impact velocity.* The helmet shall be dropped onto the flat anvil with an impact velocity of 6.2 m/s \pm 3% (20.34 ft/s \pm 3%). (Typically, this requires a minimum drop height of 2 meters (6.56 ft), plus a height adjustment to account for friction losses.) The helmet shall be dropped onto the hemispherical and curbstone anvils with an impact velocity of 4.8 m/s \pm 3% (15.75 ft/s \pm 3%). (Typically, this requires a minimum drop height of 1.2 meters (3.94 ft), plus a height adjustment to account for friction losses.) The impact velocity shall be measured during the last 40 mm (1.57 in) of free-fall for each test.

(4) *Helmet position.* Prior to each test, the helmet shall be positioned on the test headform in accordance with the HPI. The helmet shall be secured so that it does not shift position prior to impact. The helmet retention system shall be secured in a manner that does not interfere with free-fall or impact.

(5) *Data.* Record the maximum acceleration in g's during impact. See Subpart C, § 1203.41(b).

Subpart B—Certification

§ 1203.30 Purpose, basis, and scope.

(a) *Purpose.* The purpose of this subpart is to establish requirements that manufacturers and importers of bicycle helmets subject to the Safety Standard for Bicycle Helmets (subpart A of this part 1203) shall issue certificates of compliance in the form specified.

(b) *Basis.* Section 14(a)(1) of the Consumer Product Safety Act (CPSA), 15 U.S.C. 2063(a)(1), requires every manufacturer (including importers) and private labeler of a product which is subject to a consumer product safety standard to issue a certificate that the product conforms to the applicable standard. Section 14(a)(1) further requires that the certificate be based either on a test of each product or on a "reasonable testing program." The Commission may, by rule, designate one or more of the manufacturers and private labelers as the persons who shall issue the required certificate. 15 U.S.C. 2063(a)(2).

(c) *Scope.* The provisions of this subpart apply to all bicycle helmets that

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are subject to the requirements of the Safety Standard for Bicycle Helmets, subpart A of this part 1203.

§ 1203.31 Applicability date.

All bicycle helmets manufactured on or after March 11, 1999, must meet the standard and must be certified as complying with the standard in accordance with this subpart B.

§ 1203.32 Definitions.

The following definitions shall apply to this subpart:

(a) *Foreign manufacturer* means an entity that manufactured a bicycle helmet outside the United States, as defined in 15 2052(a)(10) and (14).

(b) *Manufacturer* means the entity that either manufactured a helmet in the United States or imported a helmet manufactured outside the United States.

(c) *Private labeler* means an owner of a brand or trademark that is used on a bicycle helmet subject to the standard and that is not the brand or trademark of the manufacturer of the bicycle helmet, provided the owner of the brand or trademark caused, authorized, or approved its use.

(d) *Production lot* means a quantity of bicycle helmets from which certain bicycle helmets are selected for testing prior to certifying the lot. All bicycle helmets in a lot must be essentially identical in those design, construction, and material features that relate to the ability of a bicycle helmet to comply with the standard.

(e) *Reasonable testing program* means any tests which are identical or equivalent to, or more stringent than, the tests defined in the standard and which are performed on one or more bicycle helmets selected from the production lot to determine whether there is reasonable assurance that all of the bicycle helmets in that lot comply with the requirements of the standard.

§ 1203.33 Certification testing.

(a) *General.* Manufacturers, as defined in § 1203.32(b) to include importers, shall conduct a reasonable testing program to demonstrate that their bicycle helmets comply with the requirements of the standard.