

application for deletion from documentation must already be on file with the National Vessel Documentation Command or must be submitted by facsimile with the instrument being submitted by facsimile for filing.

(b) Within 10 days of submitting an instrument by facsimile for filing, the person submitting the instrument by facsimile must submit the instrument in duplicate to the National Vessel Documentation Command, [address to be inserted in final rule]; at least one copy must bear original signatures. If not already on file, the original of any application required by paragraph (a) of this section must also be submitted with the original instrument to the National Vessel Documentation Command.

(c) Upon receipt of the instrument in duplicate in accordance with paragraph (b) of this section, the date and time of recording of the instrument is the date and time the instrument submitted by facsimile was filed.

(d) All instruments submitted by facsimile for filing must be clearly legible, submitted from 8½-inch by 11-inch paper in not less than 10-point type size, and accompanied by a cover sheet.

(e) The facsimile cover sheet required by paragraph (d) of this section should indicate the name, address, telephone

number and facsimile telephone number of the person submitting the instrument by facsimile, and the number of pages submitted by facsimile.

(f) The filing of any instrument submitted by facsimile is terminated and the instrument will be returned to the submitter if:

(1) The instrument is subject to termination for any cause under § 67.217(a);

(2) The instrument required to be submitted in duplicate in accordance with paragraph (b) of this section is not received within the 10-day period; or

(3) There is any variance between the instrument submitted by facsimile for filing and the instrument submitted in duplicate in accordance with paragraph (b) of this section.

(g) When the filing of an instrument submitted by facsimile is terminated for a variance in accordance with paragraph (f)(3) of this section, the instrument submitted in duplicate in accordance with paragraph (b) of this section will be deemed to be an original filing under this subpart subject to termination under § 67.217(a)(1). The instrument submitted in duplicate will be deemed not in substantial compliance with the applicable regulations in this part because of the variance between it and the instrument submitted by facsimile.

The procedures for termination of filing and disposition of instruments described in paragraphs (b) and (c) of § 67.217 will apply.

3. In § 67.500, paragraph (a) is revised to read as follows:

**§ 67.500 Applicability.**

(a) This subpart specifies documentation services provided for vessels for which fees are applicable. No documentation service for which a fee is applicable will be performed until the appropriate fee has been paid. Fees are contained in Table 67.550.

4. Section 67.540 is added to read as follows:

**§ 67.540 Facsimile handling fee.**

A handling fee is charged for processing an instrument submitted by facsimile for filing in accordance with subpart O of this part.

5. In § 67.550, Table 67.550 is amended by adding "Facsimile submission handling" as an entry following the entry "Notice of claim of lien and related instruments" under the category "Filing and recording:" to read as follows:

**§ 67.550 Fee table.**

\* \* \* \* \*

TABLE 67.550.—FEES

Activity	Reference	Fee
Facsimile submission handling .....	Subpart O .....	12.00

<sup>1</sup> Per page.

\* \* \* \* \*  
Dated: February 28, 1995.

**N.W. Lemley,**

*Acting Chief, Office of Marine Safety, Security and Environmental Protection.*

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**National Highway Traffic Safety Administration**

**49 CFR Part 571**

[Docket No. 95-009, Notice 01]

**Federal Motor Vehicle Safety Standards; Child Restraint Systems**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of public meeting; request for comments.

**SUMMARY:** This notice announces that NHTSA will be holding a public meeting regarding the misuse of child restraint systems (safety seats). NHTSA seeks comments on actions that the agency, industry and public can do to improve the proper installation and use of child safety seats.

**DATES:** *Public meeting:* A public meeting to hear views and comments will be held in Indianapolis, Indiana on April 2, 1995, from 1 p.m. to 4 p.m.

Those wishing to make oral presentations at the meeting should contact Dr. George Mouchahoir, at the address or telephone number listed below by March 24, 1995.

*Written comments:* Written comments may be submitted to the agency and must be received by April 2, 1995.

**ADDRESSES:** *Public meeting:* The public meeting will be held at the following location: The Hyatt Regency Indianapolis, One South Capitol Avenue, Indianapolis, Indiana 46204, Telephone: (317) 632-1234/(800) 233-1234 Toll Free Reservations.

*Written comments:* All written comments must refer to the docket and notice number of this notice and be submitted (preferable 10 copies) to the Docket Section, National Highway Traffic Safety Administration (NHTSA), Room 5109, 400 Seventh St., S.W., Washington, DC 20590. Docket hours are from 9:30 a.m. to 4:00 p.m. Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Dr. George Mouchahoir, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC, 20590 (telephone 202-366-4919).

**SUPPLEMENTARY INFORMATION:** A child safety seat that is installed properly and used correctly provides very effective crash protection for a child. However, the safety benefits of a child seat can be reduced or negated by misuse of the seat. The agency believes in most cases, the misuse is unknown to the person installing or using the restraint.

In September 1994, three-year-old Dana Hutchinson was killed in a misused child seat. The DANA Foundation, established by the child's family after the crash to encourage correct safety seat use, describes the crash:

Dana's father had installed her child safety seat in their car for a short trip to Grandma's house. As always, he checked it to make sure it was tightly held. When her mother picked her up from school, Dana was securely fastened in the seat, and the installation was double-checked. As always, she and her two brothers were safely buckled in before the trip began.

It was raining very hard, and the roads were slippery. Their car was in a serious collision with a pick-up truck, and Dana, her mother, and her two brothers were injured. A few days later, Dana died from severe head and neck injuries. The police report from the accident stated an opinion that her child safety restraint was improperly secured.

The vehicle in which Dana Hutchinson was restrained required a supplemental buckle that was specially designed for use with child seats. The need for this buckle was discussed in the vehicle owner's manual. While Dana's parents did not read the manual, they thought they had done everything they were supposed to do to secure their child in the car seat.

Improving the proper installation and use of child seats is a NHTSA priority. In recent months, NHTSA Administrator Ricardo Martinez appeared on national television to make the public more aware of misuse problems. The agency has also worked with newspapers, magazines and other journals across the country to alert the public that misuse is "foiling child safety seat's effectiveness" (quoting headline in December 12, 1994 article of the Washington Post). Further, last month Administrator Martinez announced the formation of a "blue ribbon panel" of experts to recommend ways that safety seats can be made easier to install and use. Panel members include senior representatives of the motor vehicle, child safety seat and seat

belt industries, a pediatric physician and several child safety seat practitioners. Mr. Joseph Colella, the executive director of the DANA Foundation, is also a member. The panel moderator is Philip Haseltine, president of the American Coalition for Traffic Safety. By June 1, the panel will make recommendations to the industries affected and the general public.

NHTSA is having the public meeting to afford interested persons the opportunity to comment on child seat misuse problems. The transcript of the meeting will be made available to the blue ribbon panel for its consideration. While blue ribbon panel members may be attending the public meeting as observers, they will not be participating formally in the proceeding.

The agency would like information about misuse problems from parents or other caretakers who personally had difficulty using a safety seat with a child. What feature of the child seat promoted the misuse problem? NHTSA is also interested in the observations of educators or safety specialists who have encountered misuse problems when training members of the public to use child seats correctly. How are safety seats being misused? What has been or could be done to reduce that misuse? How can parents and other caretakers be encouraged to read owner's manuals to learn how to use a child safety seat correctly? The agency seeks information from child seat and vehicle manufacturers on what aspects of Federal Motor Vehicle Safety Standard 213, "Child Restraint Systems," encourage or discourage proper child seat use. For example, child seat labeling requirements have often been criticized as overwhelming the consumer with long and complex warnings and instructions. How can these labeling requirements be improved? Which aspects of the labeling requirements should be retained, and which should be abolished, and why? How do manufacturers assess whether a child seat will be misused (i.e., the potential for misuse)? What actions have been taken by vehicle and child seat manufacturers to reduce consumers' misuse of child seats?

NHTSA requests comments from all interested persons on the compatibility between vehicle seat and belt assemblies and child safety seats that promote system misuse. NHTSA is concerned that child safety seats and the vehicles they are used in are not always readily compatible, making it difficult for parents to install and use the safety seat to ensure that their child receives the best level of protection. The

incompatibility arises from differences in vehicle seat cushion width, depth and angles; forward-mounted anchorage points, and vehicle belt systems with emergency locking retractors, at times create an improper fit or difficult installation of the safety seat. As noted above, the blue ribbon panel will recommend ways to make child safety seats and vehicles more compatible to promote convenient and correct usage.

The agency has chosen the date and place of the public meeting to coincide with NHTSA's Lifesavers 1995 National Conference on Highway Safety Priorities, which will be held on April 2-5, 1995 in Indianapolis, Indiana. It hopes that scheduling the public meeting for April 2 will encourage persons participating in the Lifesavers conference to attend the public meeting to share their views. Typically, Lifesavers participants work in state highway safety agencies, community traffic safety programs, state or local EMS or injury prevention offices, and state or local law enforcement agencies. (For information about the Lifesavers conference, contact Ms. Shirley Barton, NHTSA Office of Traffic Safety Programs, at (202) 366-2687.)

#### **Procedural Matters**

As noted at the beginning of this notice, persons wishing to speak at the public meeting should contact Dr. Mouchahoir by the indicated date. If the number of requests for oral presentations exceeds the available time, NHTSA will ask prospective speakers with similar views to combine presentations. To facilitate communication, NHTSA will provide auxiliary aids (e.g., sign-language interpreter, braille materials, large print materials and/or a magnifying device) to participants as necessary, during the meeting. Thus, any person desiring assistance of auxiliary aids should contact Ms. Barbara Carnes, NHTSA Office of Rulemaking, telephone (202) 366-1810, no later than 10 days before the meeting.

Those speaking at the public meeting should limit their presentation to 10 minutes. If the presentation will include slides, motion pictures, or other visual aids, the presenters should bring at least one copy to the meeting so that NHTSA can readily include the material in the public record.

The presiding officials at the meeting may ask questions of any speaker, and any participant may submit written questions for the official, at its discretion, to address to other meeting participants. There will be no opportunity for participants directly to question each other. If time permits,

persons who have not requested time, but would like to make a statement, will be afforded an opportunity to do so.

A schedule of participants making oral presentations will be available at the designated meeting room. NHTSA will place a copy of any written statement in the docket for this notice. A verbatim transcript of the meeting will be prepared and also placed in the NHTSA docket as soon as possible after the meeting.

Participation in the meeting is not a prerequisite for the submission of written comments. NHTSA invites written comments from all interested parties. It is requested but not required that 10 copies be submitted.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including

purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above will be considered. To the extent possible, comments filed after the closing date will also be considered. Comments will be available for inspection in the docket.

NHTSA will continue to file relevant information as it becomes available in the docket after the closing date. It is

therefore recommended that interested persons continue to examine the docket for new material.

Those desiring to be notified upon receipt of their comments in the docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

#### **List of Subjects in 49 CFR Part 571**

Imports, Motor vehicle safety, Motor vehicles.

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117 and 30166; delegation of authority at 49 CFR 1.50.

Issued on: March 1, 1995.

**Barry Felrice,**

*Associate Administrator for Rulemaking.*  
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