

(2) "Deciding Official" means the person chosen by the protestor to decide the agency protest; it may be either the Contracting Officer or the Agency Protest Official.

(3) "Interested Party" means an actual or prospective offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract.

(b) A protest filed directly with the Department of Justice must:

(1) Indicate that it is a protest to the agency.

(2) Be filed with the Contracting Officer.

(3) State whether the protestor chooses to have the Contracting Officer or the Agency Protest Official decide the protest. If the protestor is silent on this matter, the Contracting Officer will decide the protest.

(4) Indicate whether the protestor prefers to make an oral or written presentation of arguments in support of the protest to the deciding official.

(5) Include the information required by FAR 33.103(a)(2):

(i) Name, address, facsimile number and telephone number of the protestor.

(ii) Solicitation or contract number.

(iii) Detailed statement of the legal and factual grounds for the protest, to include a description of resulting prejudice to the protestor.

(iv) Copies of relevant documents.

(v) Request for a ruling by the agency.

(vi) Statement as to the form of relief requested.

(vii) All information establishing that the protestor is an interested party for the purpose of filing a protest.

(viii) All information establishing the timeliness of this protest.

(c) An interested party filing a protest with the Department of Justice has the choice of requesting either that the Contracting Officer or the Agency Protest Official decide the protest.

(d) The decision by the Agency Protest Official is an alternative to a decision by the Contracting Officer. The Agency Protest Official will not consider appeals from the Contracting Officer's decision on an agency protest.

(e) The deciding official must conduct a scheduling conference with the protestor within five (5) days after the protest is filed. The scheduling conference will establish deadlines for oral or written arguments in support of the agency protest and for many officials to present information in response to the protest issues. The deciding official may hear oral arguments in support of the agency protest at the same time as the scheduling conference, depending on availability of the necessary parties.

(f) Oral conferences may take place either by telephone or in person. Other parties may attend at the discretion of the deciding official.

(g) The protestor has only one opportunity to support or explain the substance of its protest. Department of Justice procedures do not provide for any discovery. The deciding official may request additional information from either the agency or the protestor. The deciding official will resolve the protest through informal presentations or meetings to the maximum extent practicable.

(h) An interested party may represent itself or be represented by legal counsel. The Department of Justice will not reimburse the protestor for any legal fees related to the agency protest.

(i) The Department of Justice will stay award or suspend contract Performance in accordance with FAR 33.103(f). The stay or suspension unless over-ridden, remains in effect until the protest is decided, dismissed, or withdrawn.

(j) The deciding official will make a best effort to issue a decision on the protest within twenty (20) days after the filing date. The decision may be oral or written.

(k) The Department of Justice may dismiss or stay proceeding on an agency protest if a protest on the same or similar basis is filed with a protest forum outside the Department of Justice.

(End of Clause)

[FR Doc. 98-8335 Filed 4-1-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 571 and 572

[Docket No. NHTSA-98-3668]

RIN 2127-AG37

Side Impact Protection: Side Impact Dummy

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule.

SUMMARY: This document makes two amendments to the specifications for the side impact test dummy and the procedure in NHTSA's side impact protection standard for positioning the dummy in a vehicle for compliance testing purposes. The first amendment adds plastic spacers to the dummy's lumbar spine to prevent a metal cable within the spine from contacting other metal parts in the spine ("snapping"). Some manufacturers believe that such contact can generate large spikes in the data obtained from the dummy. The second amendment specifies a procedure during the positioning of the dummy to fully extend the damper piston in the dummy's ribcage prior to the side impact test. These changes are intended to reduce to the extent possible any potential problems with the consistency of the data obtained from the dummy in a side impact crash test.

DATES: *Effective Date:* The amendments made in this rule are effective September 1, 1998.

Incorporation by Reference Date: The incorporation by reference of the material listed in this document is approved by the Director of the **Federal Register** as of September 1, 1998.

Petition Date: Any petitions for reconsideration must be received by NHTSA no later than May 18, 1998.

ADDRESSES: Any petitions for reconsideration should refer to the docket and notice number of this notice and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For nonlegal issues: Mr. Stan Backaitis, Office of Crashworthiness (telephone 202-366-4912). For legal issues: Ms. Deirdre Fujita, Office of the Chief Counsel (202-366-2992). Both can be reached at the National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, D.C., 20590.

SUPPLEMENTARY INFORMATION:

Federal Motor Vehicle Safety Standard No. 214, *Side Impact Protection* (49 CFR 571.214), establishes minimum performance requirements for protection of occupants in side impact crashes. The standard specifies a dynamic side impact test using a side impact dummy (SID) instrumented with accelerometer sensors mounted in the thorax and pelvis. The specifications for the side impact dummy are set out at 49 CFR part 572, subpart F. Standard 214 requires that when vehicles are tested in accordance with the standard, the forces (the "Thoracic Trauma Index" (TTI(d)) measured by the SID must not exceed specified limits.

This rule amends the part 572 specifications for the SID and the procedure in Standard 214 for positioning the dummy in a vehicle for compliance testing purposes. The amendments were proposed in a September 24, 1996 notice of proposed rulemaking (NPRM). 61 FR 49992. (Docket No. 96-098, Notice 01.) The first amendment adds spacers into the top and bottom plates of the lumbar spine. The second amendment specifies a dummy positioning procedure that involves fully extending the damper piston in the dummy's ribcage. Both of these amendments are intended to reduce to the extent possible any potential problems with the consistency of the data obtained from the SID in a side impact crash test.

Lumbar Spine Inserts

The NPRM was issued in response to concerns that a number of motor vehicle manufacturers raised in connection with spikes in data obtained from side impact

tests that increase the variability and the magnitude of the TTI(d). These concerns, discussed in detail in the NPRM and summarized below, relate to the construction of the SID lumbar spine. The lumbar spine is a molded hollow cylindrical rubber element, with bonded circular metal plates that have a hole in the center at each end. A metal cable passes through the center of the lumbar spine cylinder. The top end of the cable is threaded, and the bottom end is shaped like a ball. The threaded end of the cable is fastened with a nut, which can be tightened to provide the desired compression in the lumbar.

In a June 29, 1994 letter to the agency, the American Automobile Manufacturers Association (AAMA), representing Ford, Chrysler Corporation and General Motors Corporation, raised concerns about the performance of the SID lumbar spine. AAMA said that metal-to-metal contact in the spine—

Is inducing data spikes that are of long enough time duration to become part of the data when it is filtered according to the requirements of Standard No. 214. Inclusion of these data spikes in the data increases variability and unwarranted higher calculations of TTI(d). The spikes could cause manufacturers to redesign their vehicles for no safety reason other than an artifact of the SID. This redesign would increase business costs with no safety benefit to the customer.

Concerns about data spikes were also raised by Toyota Motor Corporate Services of North America and Mercedes Benz.

To correct the perceived problem, AAMA recommended the use of spacers, made of delrin, a type of plastic, in the top and bottom plates of the lumbar spine. AAMA stated that Ford found that, when the delrin spacers were used, the data spikes were eliminated. AAMA also said that in subsequent crash tests conducted by member companies, no indications of spine ringing were found when the spacers were used.

After receiving these letters and comments, NHTSA reviewed data from its tests with the SID for evidence of spine spikes. The agency determined that none of the available agency experimental or vehicle compliance data indicated definitive evidence of data contamination and/or distortion clearly attributable to spine cable snap. Further, NHTSA believed that it appeared from data submitted by Ford that the "noise" that the manufacturer found, while visible primarily in several portions of the raw data traces, would nonetheless be reduced to insignificant values by the specified FIR filter. Also, the noise consisted of extremely short

duration spikes occurring earlier or considerably later than the peak acceleration magnitudes in real world crash tests.

While the agency's data did not show that spine noise was affecting the post-filter test results, NHTSA conducted further investigations at the agency's Vehicle Research and Test Center (VRTC) to better understand the manufacturers' concerns. In January 1995, NHTSA determined through component tests of the SID torso that metal-to-metal contact of the SID's spine cable can produce spikes in the data. (A July 1996 memorandum describing the testing is in Docket 88-07, Notice 3.) In the component tests, the SID upper torso part was rocked while the bottom half was held rigid. The rocking tests caused the cable ends to slip, resulting in the generation of low level "clicking" and some noise spikes in the ribcage response data. However, none of the rocking motions producing spine cable snap generated spikes that resembled the shape or magnitude of those described by AAMA or Toyota.

NHTSA also found in the rocking tests that the delrin spacers, which AAMA suggested the agency should use in the SID spine, stopped the cable from slipping and eliminated the clicking noise. In a series of sled tests, NHTSA also determined that spines with spacers produce somewhat fewer spikes in the unfiltered data compared to tests without the spacers. In a subsequent series of impact tests, the agency established that the spacers had no appreciable effects on the stiffness of the spine, but resulted in lower magnitudes of spikes in the "z" (vertical) acceleration channel. NHTSA also found that the spacers have little, if any, effect on the TTI(d) value measurements. The above tests are described in a July 1996 memorandum in Docket 88-07, Notice 3.

While the agency's data did not support the claims of some manufacturers that spine noise affects the TTI(d) measurements to an extent that compels the possible redesign of their vehicles, NHTSA confirmed that the SID spine cable does move in a "snap-like" motion that can produce low level spikes that are clearly visible in unfiltered raw data. The agency tentatively concluded in the NPRM that this "noise," while negligible after FIR filtering, is nonetheless undesirable in itself as part of the crash event. "Any looseness or snapping of components within the SID can produce rattling or unwarranted snapping effects that could potentially distort the data from the dummy and possibly complicate compliance testing" (61 FR at 49994).

NHTSA therefore proposed that lumbar spine spacers should be required in the SID to prevent such movement.

The agency received comments on this proposal from Volkswagen of America, Toyota Motor Corporation, and AAMA. These commenters supported adding lumbar spine spacers to the SID. Toyota submitted test data showing that after spacers were added to several of its test dummies, "no remaining appreciable traces of spine ringing remained * * *" AAMA "strongly support[ed]" the proposal:

This modification to the SID specifications has been shown to prevent metal-to-metal contact in the lumbar spine that under the current specifications, erroneously and randomly adds artificial spikes to the SID acceleration traces during side impact testing.

NHTSA has evaluated the comments and has decided to require the spacers, for the reasons explained in the NPRM. As explained in the proposal, "noise" from movement of the spine cable should be minimized to the extent reasonably possible and spacers inserted into appropriate places in the spine are a reasonable means of effectively preventing such movement. The cost of the two spacers is estimated to be \$154. Given that on average, a SID can be used in at least 30 tests, the cost of the spacers is at most \$5 per impact test.

To incorporate the use of lumbar spine spacers, this rule replaces dummy assembly drawing SA-SID-M050, revision A (dated May 18, 1994) with revision B. Revision B includes reference to:

1. Drawing Lumbar Spacers-Lower SID-SM-001, indicating the spine lower spacer;
2. Drawing Lumbar Spacers-Upper SID-SM-002, indicating the spine upper spacer; and
3. Drawing 78051-243, indicating a washer.

(The drawings for the SID spine lower spacer and upper spacer are depicted in the NPRM as figures 1 and 2, respectively. 61 FR at 49995, 49996.)

The SID users manual is revised to reflect the assembly of the above parts.

Damper Piston Movement

During the sled tests that the agency conducted to evaluate the effect of spacers in the SID lumbar spine, NHTSA observed that the position of the damper piston in the SID ribcage prior to the test had an appreciable effect on the thorax accelerations recorded by the SID. In some tests, some of the thorax responses contained initial short duration damper piston movement in the opposite direction of impact, followed by a longer duration

movement in the direction of impact. Upon closer inspection of the damper piston position in dummies set up for impact, NHTSA noted that the damper position was not fully extended in some of the dummies. The agency subsequently found, through tests with the damper piston position purposely fully extended or partly compressed, that the damper piston's initial position can be an important factor in determining whether the dummy's key thorax sensors will record higher or lower accelerations.

In a side impact test in which contact occurs first at the dummy's hip level, a dummy's ribcage initially moves (relative to the pelvis bone) toward the impact. When the damper piston is partly compressed prior to impact, the damper piston will fully extend itself during impact until it is arrested by the piston bottoming out against the damper body. The test data indicate that this internal "collision" of the damper piston against the damper body is the primary cause of inconsistency in data measurements and the determination of acceleration levels. This collision does not occur when the piston is fully extended within the damper body prior to the test.

Prior to these tests, the agency believed that a piston return spring in the SID would develop sufficient force to set the damper piston in the fully extended position. It appeared from the tests, however, that the spring is not stiff enough to set the piston in every dummy in the fully extended position and that steps to ensure extension of the piston are necessary. To better ensure that the impact response measurements are more repeatable and reproducible, NHTSA proposed to specify in Standard 214's SID positioning procedures that the damper piston is in the fully extended position before the test.

In the NPRM, the agency stated that the piston can be fully extended by rocking a seated dummy in the lateral direction immediately prior to a test or by reaching through a partly unzipped SID torso jacket and forcing the piston into a full extension. NHTSA believed these measures will ensure that the damper piston is in the fully extended position at the time of the side impact test. NHTSA tentatively concluded that a visual inspection appears to be adequate to ensure that the piston is fully extended. Comments were requested on whether a position sensor would be needed.

Volkswagen, Toyota and American Honda Motor Co., Inc. supported the proposal to specify in Standard 214's SID positioning procedures to fully extend the damper piston before the

test. Honda submitted test data showing that "Both rib and spine Gs are varied with the initial piston positions, and more than a negligible amount of the difference in TTI is observed." Honda said, however, that it is concerned as to how to confirm that the damper piston is fully extended prior to the dynamic test "since it is not easy to reach and ensure the piston position without affecting the SIDs already correctly positioned in the test vehicle." Honda suggested marking the damper piston to show the fully extended position. The mark could be visible through the partially unzipped SID torso jacket without moving the SID. While supporting the proposal, Volkswagen and Toyota said that use of a rib cage position sensor should not be a mandatory part of the specifications.

AAMA opposed the proposal. It said that the damper-related data anomalies NHTSA recorded during sled tests have not been observed in manufacturers' full vehicle crash tests.

The sled test setup NHTSA used was unrealistic due to the large protruding armrest installed first, to cause an initial pelvic impact and then, to force the upper body to rotate toward the door of the vehicle. Dummy kinematics of this nature are not common in a normal FMVSS-214 crash test. AAMA believes that this unrealistic testing caused the SID to exhibit these damper-induced data anomalies.

AAMA also stated that the fully extended position of the damper piston often cannot be maintained consistently prior to the crash test ("pre-test") due to the tight fit of the SID chest jacket. "Considerable time could be spent pre-test trying to maintain the damper position once the jacket is re-zipped." In addition, AAMA did not support a requirement for a chest damper position sensor, because the bracket that would be used to mount the sensor can cause metal-to-metal contact with the sternum or spine box. "Use of the sensor, therefore, should remain optional."

After considering the comments, NHTSA has decided to amend Standard 214 to adopt a procedure to extend the damper piston prior to dynamic testing. The specification will better ensure the repeatability and reproducibility of test results. As discussed in the NPRM, the agency's testing indicated that the damper piston's initial position can be an important factor in determining whether the dummy's key thorax sensors will record higher or lower accelerations. Honda also found that the initial piston position affected rib and spine Gs and TTI(d) values and that extending the damper piston is needed to ensure that test results are consistent and reproducible. Ensuring that the

damper piston is extended will eradicate a possible source of data distortion from the agency's compliance test.

In response to AAMA's comments, the agency acknowledges that the tests at VRTC were designed to show that spikes could be present in data if the damper piston were not fully extended. In the tests, the pelvis was impacted about six inches before the thorax was impacted, to initially force the ribs outward. However, the agency does not agree that the VRTC tests resulted in irrelevant or unrealistic dummy kinematics. NHTSA's side impact test reports indicate that the pelvis of the dummy was impacted approximately 1-7 ms earlier than the ribcage structure in 72 percent of the tests. Also, NHTSA examined the damper position in SIDs that were set up on vehicle seats readied for dynamic side impact testings and found that these showed a piston position up to 7 mm (0.28 inches) from full extension. This suggests that the potential exists that damper piston positioning could affect rib acceleration responses in actual Standard 214 tests. Inasmuch as a damper piston position in tests with dummies in real vehicles is similar to the position in the laboratory set-up, the agency concludes that there is a potential for experiencing a piston collision-related spike problem in actual Standard 214 tests.

While data from NHTSA's vehicle crash tests thus far do not indicate the effects of a damper piston collision, future designs of vehicle interiors, side structure or impact surfaces may exacerbate the motion of the damper piston, artificially increasing acceleration measurements. The agency believes removing this potential complication from compliance testing is a reasonable step toward ensuring the integrity of future side impact tests.

The agency recognizes that some commenters expressed concern about the means by which users can extend the piston. NHTSA stated in the NPRM that the piston can be fully extended by rocking a seated dummy in the lateral direction immediately prior to a test or by reaching through a partly unzipped SID torso jacket and forcing the piston into a full extension (61 FR at 49997). In response, Honda stated that "it is not easy to reach and ensure the piston position without affecting the SIDs already correctly positioned in the test vehicle." AAMA stated that it believed that "the fully extended position of the damper piston often cannot be maintained consistently prior to the crash test (pre-test) due to the tight fit of the SID chest jacket. Considerable time could be spent pre-test trying to

maintain the damper position once the jacket is re-zipped."

As a result of these comments, NHTSA undertook testing at VRTC to determine whether there is a simple way of fully extending the piston, other than by rocking the dummy or by reaching through a partially unzipped jacket. Two different side impact dummies were used, both with and without SID chest jackets. Jackets from different manufacturers were used. These jackets were measured both externally and internally to examine differences in sizes between dummies made by different manufacturers. Size differences could result in tighter or looser fits which might have differing influences on the return of the damper piston to its extended position.

NHTSA verified its earlier finding that the return spring on the damper did not always return the damper to its fully extended position, either with or without the chest jacket. The agency also determined that the damper piston could be fully extended on the dummy by holding the dummy's head in place and pushing the non-impact side of the dummy with approximately 15 to 20 lb. force. This procedure repositioned the damper piston at the fully extended position, regardless of whether a chest jacket is used or which type of chest jacket is on the dummy. Copies of the reports discussing the test results have been placed in the docket. "SID Damper Piston Extension Measurement," April 22, 1997, "SID Damper in Car Positioning Tests," May 1, 1997, and "Table 1. Measurements of SID Damper Potentiometer from Fully Extended Position for Various SID Dummies" May 5, 1997.

By using a linear potentiometer to measure the extended position of the damper, the agency verified that the procedure consistently extended the damper piston to the fully extended position. Because the procedure attained consistent results, the agency is confident that the procedure achieves the desired end. Thus, the agency believes that a sensor is not needed to confirm that the damper is returned to the fully extended position.

This rule specifies an effective date slightly sooner than 180 days from the date of publication. NHTSA believes the September 1, 1998 effective date is in the public interest. September 1 is the effective date typically chosen by the agency for new performance requirements since September or October is the beginning of a new model year for most vehicle manufacturers. Use of this date ensures that the new requirements apply to all motor vehicles produced in the model year beginning

on or about that date. Thus, virtually all model year 1999 vehicles would be tested with the SID modified as specified in this rule. The required modifications to the test dummy adopted by this rule are generally minor and can be implemented by dummy manufacturers within the provided leadtime. While the modifications better ensure the repeatability and reproducibility of side impact test results, the agency anticipates that they will not have a bearing on the compliance of vehicle manufactured today and that vehicles will not need to be redesigned because of today's amendments.

This rule also updates the name and address of the firm referenced in § 572.40(b) from which copies of the SID drawings, users manual and other materials incorporated by reference may be obtained.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and 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 "non-significant" under the Department of Transportation's regulatory policies and procedures. The amendments will not require any vehicle design changes, but will instead require only minor modifications in the test dummy used to evaluate a vehicle's compliance with Standard No. 214. According to Applied Safety Technologies Corporation (formerly Vector Research), a dummy manufacturer, the two delrin spacers (lumbar spine inserts) cost \$154. Thus far, these have been precision machined parts aimed to satisfy individual low volume orders. The cost is expected to decrease considerably once the other dummy manufacturer (FTSS) begins manufacturing the spacers. If use of spacers increases, dummy manufacturers may seek to produce them through precision molding, which could further reduce the cost of the spacer. The agency has accordingly determined that the impacts of the amendments will be so minimal that a full regulatory evaluation is not required.

Regulatory Flexibility Act

NHTSA has also considered the impacts of this rule under the Regulatory Flexibility Act (5 U.S.C. § 601 *et seq.*). I hereby certify that this

rule will not have a significant economic impact on a substantial number of small entities.

The factual basis for the certification (5 U.S.C. § 605(b)) is as follows. The final rule would primarily affect passenger car and light truck manufacturers and manufacturers of dummies. As described above, there will be no significant economic impact on any vehicle manufacturer, whether large or small. Even if the rule were to have a significant economic impact, there is not a substantial number of small entities that manufacture vehicles. The Small Business Administration's (SBA's) size standards are organized according to Standard Industrial Classification Codes (SIC). SIC Code 3711 "Motor Vehicles and Passenger Car Bodies" has a small business size standard of 1,000 employees or fewer. For passenger car and light truck manufacturers, NHTSA estimates there are at most five small manufacturers of passenger cars in the U.S. Because each manufacturer serves a niche market, often specializing in replicas of "classic" cars, production for each manufacturer is fewer than 100 cars per year. Thus, there are at most five hundred cars manufactured per year by U.S. small businesses. In contrast, in 1996, there are approximately nine large manufacturers manufacturing passenger cars and light trucks in the U.S. Total U.S. manufacturing production per year is approximately 15 to 15 and a half million passenger cars and light trucks per year. NHTSA does not believe small businesses manufacture even 0.1 percent of total U.S. passenger car and light truck production per year.

SIC Code 3714 "Motor Vehicle Parts and Accessories" has a small business size standard of 750 employees or fewer. NHTSA believes dummy manufacturers would fall under SIC Code 3714. There are three dummy manufacturers in this country, all of which are believed to be of a size that constitutes a small business. NHTSA does not believe this rule will have a significant economic impact on these entities. The rule will require only minor modifications (the addition of two delrin spacers) to the side impact dummy. The delrin spacers are relatively inexpensive components, costing approximately \$154 for two. Further, NHTSA believes the cost of the spacer will decrease when they are produced in high volumes.

The cost of new passenger cars and light trucks will not be affected by the final rule. Because no price increases will be associated with the rule, small organizations and small governmental units will not be affected in their capacity as purchasers of new vehicles.

National Environmental Policy Act

NHTSA has also analyzed this 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 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, 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

49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

49 CFR Part 572

Incorporation by reference, Motor vehicle safety.

In consideration of the foregoing, NHTSA amends 49 CFR Parts 571 and 572 as set forth below.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for Part 571 continues to read as follows:

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

2. Section 571.214 is amended by adding introductory text for S7.1, *Torso*, to read as follows:

§ 571.214 Standard No. 214; side impact protection.

* * * * *

S7.1 *Torso*. For a test dummy in any seating position, hold the dummy's head in place and push laterally on the non-impacted side of the upper torso in a single stroke with a force of 15–20 lb. towards the impacted side.

* * * * *

49 CFR PART 572— ANTHROPOMORPHIC TEST DUMMIES

Subpart F—Side Impact Dummy 50th Percentile Male

3. The authority citation for Part 572 continues to read as follows:

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

4. In § 572.40, paragraph (b) is revised to read as follows:

§ 572.40 Incorporated materials.

* * * * *

(b) The materials incorporated in this part by reference are available for examination in the general reference section of Docket 79–04, Docket Section, National Highway Traffic Safety Administration, room 5109, 400 Seventh St., S.W., Washington, D.C., 20590, telephone (202) 366–4949. Copies may be obtained from Reprographic Technologies, 9000 Virginia Manor Rd., Suite 210, Beltsville, MD, 20705, Telephone (301) 419–5070, Fax (301) 419–5069.

5. In section 572.41, the introductory paragraph of (a), and entire paragraphs (a)(4) and (c) are revised to read as follows:

§ 572.41 General description.

(a) The dummy consists of component parts and component assemblies (SA–SID–M001, revision C, dated September 12, 1996, and SA–SID–M001A, revision B, dated September 12, 1996), which are described in approximately 250 drawings and specifications that are set forth in § 572.5(a) of this chapter with

the following changes and additions which are described in approximately 85 drawings and specifications (incorporated by reference; see § 572.40):

* * * * *

(4) The lumbar spine consists of the assembly specified in subpart B (§ 572.9(a)) and conforms to drawing SA 150 M050 and drawings subtended by SA–SID–M050 revision B, dated September 12, 1996, including the addition of Lumbar Spacers–Lower SID–SM–001 and Lumbar Spacers–Upper SID–SM–002 (both dated May 12, 1994), and Washer 78051–243.

* * * * *

(c) Disassembly, inspection, and assembly procedures; external dimensions and weight; and a dummy drawing list are set forth in the Side Impact Dummy (SID) User's Manual, dated May 1994 except for pages 7, 20 and 23, and Appendix A (consisting of replacement pages 7, 20 and 23) dated January 20, 1998 (incorporated by reference; see § 572.40).

6. In § 572.43, paragraph (a) is revised to read as follows:

§ 572.43 Lumbar spine and pelvis.

(a) When the pelvis of a fully assembled dummy (SA–SID–M001A revision B, dated September 12, 1996, (incorporated by reference; see § 572.40) is impacted laterally by a test probe conforming to § 572.44(a) at 14 fps in accordance with paragraph (b) of this section, the peak acceleration at the location of the accelerometer mounted in the pelvis cavity in accordance with § 572.44(c) shall be not less than 40g and not more than 60g. The acceleration-time curve for the test shall be unimodal and shall lie at or above the +20g level for an interval not less than 3 milliseconds and not more than 7 milliseconds.

* * * * *

Issued: March 26, 1998.

Ricardo Martinez,

Administrator.

[FR Doc. 98–8452 Filed 4–1–98; 8:45 am]

BILLING CODE 4910–59–P