

other impacts, preparation of a full regulatory evaluation is not warranted.

National Environmental Policy Act

NHTSA has analyzed this rule for the purposes of the National Environmental Policy Act. It is not anticipated that the rule will have a significant effect upon the environment.

Regulatory Flexibility Act

The agency has also considered the impacts of this rule in relation to the Regulatory Flexibility Act. Based on the discussion above, I certify that this rule will not have a significant economic impact upon a substantial number of small entities. Accordingly, no regulatory flexibility analysis has been prepared. Manufacturers of motor vehicles, headlamps, and light sources, those affected by the rule, are generally not small businesses within the meaning of the Regulatory Flexibility Act. Further, small organizations and governmental jurisdictions will not be significantly affected by these minor amendments.

Executive Order 12612 (Federalism)

This rule has also been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and NHTSA has determined that this rule does not have sufficient 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 (formerly section 103(d) of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1392(d)), 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. Forty-nine U.S.C. 30161 (formerly Section 105 of the Act (15 U.S.C. 1394)) 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 571

Imports, Motor vehicle safety, Motor vehicles.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

In consideration of the foregoing, 49 CFR part 571 is amended as follows:

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

Authority: 49 U.S.C. 30111, 30162, 30115; delegation of authority at 49 CFR 1.50.

§ 571.108 [Amended]

2. In paragraph S5.1.1.6 of Section 571.108, the phrase "September 1970" is revised to read "December 1970."

3. Section 571.108 is amended by revising paragraphs S7.1, S7.3.2(a)(3), S7.3.3(a), S7.3.4, S7.3.5(a), and S7.3.6(a) to read as follows:

§ 571.108 Motor Vehicle Safety Standard No. 108 Lamps, Reflective Devices, and Associated Equipment.

* * * * *
 S7.1 Each passenger car, multipurpose passenger vehicle, truck, and bus manufactured on or after September 1, 1994, shall be equipped with a headlighting system designed to conform to the requirements of S7.3, S7.4, S7.5, or S7.6.
 * * * * *

S7.3.2 *Type A headlighting system.*

* * *
 (a) * * *

(3) In paragraphs 4.5.2 and 5.1.6, the words "Figure 28 of Motor Vehicle Safety Standard No. 108" are substituted for "Table 3".
 * * * * *

S7.3.3. *Type B headlighting system.*

* * *
 (a) The requirements of paragraphs S7.3.2(a) through (c), except that Figure 27 is substituted for Table 3 in paragraph S7.3.2(a)(3).
 * * * * *

S7.3.4 *Type C headlighting system.*

A Type C headlighting system consists of two Type 1C1 and two Type 2C1 headlamps and associated hardware, which are designed to conform to the requirements of paragraph S7.3.2(a) through (d), except that Figure 28 is substituted for Table 3 in paragraph S7.3.2(a)(3).

S7.3.5 *Type D headlighting system.*

(a) A Type D headlighting system consists of two Type 2D1 headlamps and associated hardware, which are designed to conform to the requirements of paragraph S7.3.2(a) through (c), except that Figure 27 is substituted for Table 3 in paragraph S7.3.2(a)(3).
 * * * * *

S7.3.6 *Type E headlighting system.*

(a) A Type E headlighting system consists of two Type 2E1 headlamps and associated hardware, which are designed to conform to the requirements of paragraph S7.3.2(a) through (c), except that Figure 27 is substituted for Table 3 in paragraph S7.3.2(a)(3).
 * * * * *

4. In paragraph S7.3.7(b) of Section 571.108 remove the words "Figure 15 or".

5. In the heading of paragraph S7.3.7(c) of Section 571.108 the reference to "Performance" is revised to read "Performance".

6. In paragraphs S7.3.7(d) and S7.3.7(h)(1) of section 571.108 the reference to "Figure 15" is revised to read "Figure 15A".

7. Paragraph S7.3.8(b) of Section 571.108 is amended by revising the last sentence to read: "In paragraph 4.5.2, the words 'Figure 28' are substituted for the words 'Table 3.'"
 * * * * *

8. Paragraph S7.3.9(a) of Section 571.108 is revised to read: S7.3.9 *Type H Headlighting System.*
 * * * * *

(a) Paragraphs S7.3.8(a) through (d) except that in paragraph S7.3.8(b), Figure 27 is substituted for Table 3.
 * * * * *

9. Paragraph S7.4 of Section 571.108 is amended by revising paragraphs S7.4(a)(1)(i), (ii), and (iii), (a)(2)(i) and (ii) and the first sentence of (a)(3) to read as follows:

S7.4 *Integral Beam Headlighting System.* * * *

(a) * * *
 (1) * * *
 (i) Figure 15A; or
 (ii) Figure 15A except that the upper beam test value at 2½ D-V and 2½ D-12R and 12L, shall apply to the lower beam headlamp and not to the upper beam headlamp, and the upper beam test point value at 1½ D-9R and 9L shall be 1000, or

(iii) Figure 28.
 (2) * * *
 (i) Figure 17A; or
 (ii) Figure 27.

(3) In a system in which there is more than one beam contributor providing a lower beam, and/or more than one beam contributor providing an upper beam, each beam contributor in the system shall be designed to meet only the photometric performance requirements of Figure 15A based upon the following mathematical expression: conforming test point value=2 (Figure 15A test point value)/total number of lower or upper beam contributors for the vehicle, as appropriate. * * *
 * * * * *

10. and 11. Section 571.108 is amended by removing the word "standardized" from the following paragraphs:

- (a) S7.5(a);
- (b) S7.5(b);
- (c) S7.5(f);
- (d) S8.6;

12. Section 571.108 is amended by revising paragraphs S7.5(d)(2)(i)(A)(1)