

## SUPPLEMENTARY INFORMATION:

**Background**

Under 49 U.S.C. 30141 (a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

G&K Automotive Conversion, Inc., of Santa Ana, California (Registered Importer R-90-007) petitioned NHTSA to decide whether 1973 Ferrari Dino 246 GTS passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on December 28, 1994 (59 FR 67002) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice of the petition, from Fiat Auto U.S.A., Inc. (Fiat), the United States representative of Ferrari. In its comment, Fiat stated that Ferrari, and other companies within the Fiat Group, have invested considerable resources in the design and production of vehicles that comply with the Federal motor vehicle safety standards. Although it stated that it has not determined what modifications are necessary to bring a vehicle into compliance with the Federal safety standards, Fiat contended that it is not possible to achieve such compliance by simply retrofitting a vehicle built for the

European market, without conducting extensive development and testing.

Because Fiat's comments did not specify how non-U.S. certified 1973 Ferrari Dino 246 GTS passenger cars are incapable of being readily altered to conform to the standards, there was no basis for NHTSA to solicit a response from the petitioner. As they have been performed with relative ease on thousands of vehicles imported over the years, none of the modifications described in the petition would preclude NHTSA from determining that non-U.S. certified 1973 Ferrari Dino 246 GTS passenger cars are eligible for importation. NHTSA has accordingly decided to grant the petition.

**Vehicle Eligibility Number for Subject Vehicles**

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP 107 is the vehicle eligibility number assigned to vehicles admissible under this decision.

**Final Determination**

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1973 Ferrari Dino 246 GTS not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1973 Ferrari Dino 246 GTS originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 3014(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: March 14, 1995.

**Harry Thompson,**

*Acting Director, Office of Vehicle Safety Compliance.*

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**DEPARTMENT OF THE TREASURY**

[Treasury Order Number 145-01]

**Lend-Lease Functions and Trust Fund Receipts; Authority Delegation**

Dated: March 10, 1995.

1. By virtue of the authority vested in the Secretary of the Treasury, including the authority in 31 U.S.C. 321(b) and Executive Order (E.O.) 9726, it is ordered that the liquidation of the transferred functions cited in E.O. 9726

are delegated to the Commissioner, Financial Management Service. The Commissioner may redelegate the authority transferred to such subordinates in the bureau as necessary.

a. E.O. 9726 (May 17, 1946)

transferred to the Department the Office of Foreign Liquidation and all functions with respect to the maintenance of accounts and other fiscal records relating to lend-lease and reverse lend-lease, effective at the close of business on May 31, 1946.

b. The Commissioner, upon approval by the Fiscal Assistant Secretary, may make arrangements with any bureau, division, or office within the Department for the performance of functions pertaining to lend-lease or reverse lend-lease transferred under this Order.

2. By virtue of the authority vested in the Secretary of the Treasury, including the authority in 31 U.S.C. 321(b), it is ordered that the authority to effect covering of general, special and trust receipts into the Treasury is delegated to the Commissioner, Financial Management Service. The Commissioner may redelegate the authority transferred herein to such subordinates in the bureau as deemed necessary. Such receipts will be considered as covered and officially acknowledged on the date they are entered in the records of the Financial Management Service. Paragraph 6. of the Joint Regulations No. 4, revised, issued by the Secretary of the Treasury and Comptroller General of the United States on April 29, 1955, provides:

The requirements of existing law that warrants be issued and countersigned to acknowledge the receipt of moneys to be covered in the Treasury are hereby waived. For the purposes of Section 305 of the Revised Statutes, as amended (31 U.S.C. 147), moneys received and covered into the public Treasury shall be deemed to be officially acknowledged when the receipt of such moneys, for credit to the receipt accounts or appropriation and fund accounts maintained pursuant to the Act of July 31, 1894, as amended (31 U.S.C. 1019), and Section 114(b) of the Budget and Accounting Procedures Act of 1950, is recorded by the Treasury offices designated for that purpose by the Secretary of the Treasury.

**Frank N. Newman,**

*Deputy Secretary of the Treasury.*

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