

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, 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 ("G&K") (Registered Importer 90-007) has petitioned NHTSA to decide whether 1993-1997 Volkswagen Jetta passenger cars are eligible for importation into the United States. The vehicles which G&K believes are substantially similar are the 1993-1997 Volkswagen Jetta passenger cars that were manufactured for importation into, and sale in, the United States and certified by their manufacturer, Volkswagenwerke, A.G., as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1993-1997 Volkswagen Jettas to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

G&K submitted information with its petition intended to demonstrate that the non-U.S. certified 1993-1997 Volkswagen Jettas, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1993-1997 Volkswagen Jettas are identical to their U.S. certified counterparts with respect to compliance with Standards Nos. 102 *Transmission Shift Lever Sequence* * * *, 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 108 *Lamps, Reflective Devices and Associated*

Equipment, 109 *New Pneumatic Tires*, 111 *Rearview Mirror*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Retention*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

Additionally, the petitioner states that non-U.S. certified 1993-1997 Volkswagen Jettas comply with the Bumper Standard found in 49 CFR Part 581.

Petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) substitution of a lens marked "Brake" for a lens with an ECE symbol on the brake failure indicator lamp; (b) installation of a seat belt warning lamp that displays the appropriate symbol; (c) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard.

Standard No. 114 *Theft Protection*: installation of a warning buzzer microswitch in the steering lock assembly and a warning buzzer.

Standard No. 118 *Power Window Systems*: rewiring of the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 203 *Impact Protection for the Driver From the Steering Control System*: the petitioner states that the requirements of this standard will be met when the non-U.S. certified 1993-1997 Volkswagen Jettas are equipped with driver's and passenger's side air bags identical to those found on the vehicles' U.S. certified counterparts.

Standard No. 208 *Occupant Crash Protection*: (a) installation of a seat belt warning buzzer; (b) installation of driver's and passenger's side air bags identical to those found on the vehicles' U.S.-certified counterparts. The petitioner states that the vehicles are equipped with Type 2 seat belts in the front and rear outboard designated seating positions, and with Type 1 seat belts in the rear center designated seating position.

The petitioner also states that a vehicle identification number plate

must be affixed to the vehicles to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 7, 1998.

Marilynne Jacobs,
Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-97-3056]

Decision That Nonconforming 1992 BMW 7 Series Passenger Cars Are Eligible for Importation

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

ACTION: Notice of decision by NHTSA that nonconforming 1992 BMW 7 Series passenger cars are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1992 BMW 7 Series passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 1992 BMW 7 Series), and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective January 12, 1998.

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), 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, 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**.

J.K. Motors of Kingsville, Maryland ("J.K.") (Registered Importer 90-006) petitioned NHTSA to decide whether 1992 BMW 7 Series passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on November 10, 1997 (62 FR 60556) 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 BMW of North America, Inc. ("BMW"), the United States representative of Bayerische Motoren Werke, A.G., the vehicle's manufacturer. In this comment, BMW stated that the petition erroneously claimed that non-U.S. certified 1992 BMW 7 Series passenger cars are equipped in both front seating positions with an automatic belt system identical to that found on the vehicles' U.S. certified counterparts. BMW stated that the company never certified the U.S. version of the 1992 BMW 7 Series to FMVSS No. 208, *Occupant Crash Protection*, through the use of automatic

seat belts, and that it installed frontal air bag systems in those vehicles instead. BMW contended that air bags would have to be installed in a non-U.S. certified 1992 BMW 7 Series for that vehicle to comply with FMVSS No. 208.

According to BMW, it would be "extremely difficult, if not impossible," for an air bag system to be properly installed.

NHTSA accorded J.K. an opportunity to respond to BMW's comment. In its response, J.K. acknowledged that the petition was in error to the extent that it described non-U.S. certified 1992 BMW 7 Series passenger cars as being equipped with automatic seat belts. J.K. agreed with BMW's assertion that these vehicles are equipped with air bag systems at both front outboard seating positions. Because the air bags in 1992 BMW 7 Series passenger cars manufactured for the European market are smaller than those furnished on the U.S. certified version of that vehicle, J.K. stated that it would be necessary to replace the air bags in European market vehicles with U.S. model components. J.K. did not address the difficulty of making such a replacement, although it indicated that if there were no existing air bag system in these vehicles, it would be possible to install one by changing the steering column and adding the necessary wiring and sensors to existing mounts.

NHTSA believes that J.K.'s response adequately addresses the issue that BMW has raised regarding its petition. NHTSA further notes that in recent years, air bag systems have been replaced with relative ease on BMWs and other similar vehicles, and that the need for this alteration would not preclude the non-U.S. certified 1992 BMW 7 Series from being found 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-232 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1992 BMW 7 Series passenger car is substantially similar to a 1992 BMW 7 Series passenger car 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. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: January 7, 1998.

Marilynn Jacobs,

Director, Office of Vehicle Safety Compliance.
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UNITED STATES INFORMATION AGENCY

Proposed Collection; Comment Request

AGENCY: United States Information Agency.

ACTION: Proposed collection; comment request.

SUMMARY: The United States Information Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on an information collection requirement concerning the public use form entitled "Proposal Submission Instructions (PSI), United States Information Agency, Bureau of Educational and Cultural Affairs". This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 [Pub. L. 104-13; 44 U.S.C. 3506(c)(2)(A)].

USIA is requesting OMB approval for a three-year reinstatement and revision to the currently approved collection under OMB Number 3116-0212 which is scheduled to expire on April 30, 1998. The information collection activity involved with this program is conducted pursuant to the mandate given to the United States Information Agency under the terms and conditions of the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87-256.

DATES: Comments are due on or before March 13, 1998.

COPIES: Copies of the Request for Clearance (OMB 83-I), supporting statement, and other documents that will be submitted to OMB for approval may be obtained from the USIA Clearance Officer. Comments should be submitted to the Office of Information and Regulatory Affairs of OMB, *Attention:* Desk Officer for USIA, and also to the USIA Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Agency Clearance Officer, Ms. Jeannette Giovetti, United States Information