

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-98-4078]

Notice of Receipt of Petition for Decision that Nonconforming 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is August 21, 1998.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 10 am to 5 pm]

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) has petitioned NHTSA to decide whether non-U.S. certified 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles are eligible for importation into the United States. The vehicles which J.K. believes are substantially similar are 1996-1999 Moto Guzzi Daytona RS motorcycles that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles to U.S. certified 1996-1999 Moto Guzzi Daytona RS motorcycles, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

J.K. submitted information with its petition intended to demonstrate that non-U.S. certified 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as U.S. certified 1996-1999 Moto Guzzi Daytona RS motorcycles, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles are identical to U.S. certified 1996-1999 Moto Guzzi Daytona RS motorcycles with respect to compliance with Standard Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles Other Than Passenger Cars*, 120 *Tire Selection and Rims for Vehicles Other Than Passenger Cars*, 122 *Motorcycle Brake Systems*, 123 *Motorcycle Controls and Displays*, and 205 *Glazing Materials*.

The petitioner also states that non-U.S. certified 1996-1999 Magni Australia, Magni Sfida, and Moto Guzzi Daytona RS motorcycles are equipped with vehicle identification number plates meeting the requirements of 49 CFR Part 565.

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

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) installation of U.S.-model headlamp assemblies; (b) installation of U.S. model taillamp assemblies which incorporate rear sidemarker lamps and side reflectors.

Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 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: July 16, 1998.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.
[FR Doc. 98-19482 Filed 7-21-98; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-98-4033; Notice 1]

Cosco, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

Cosco, Incorporated, of Columbus, Indiana, has determined that a number of child restraint systems fail to comply with 49 CFR 571.213, Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defects and Noncompliance Reports." Cosco has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle