

announcing NHTSA's tentative conclusion that Lamborghini and Vector should be exempted from the MY 1998 and 1999 passenger automobile average fuel economy standard of 27.5 mpg, and that alternative standards of 12.4 mpg for MYs 1998 and 1999 be established for Lamborghini and Vector (63 FR 5774; February 4, 1998). Thereafter, on July 24, 1998, Audi AG, a wholly owned subsidiary of Volkswagen, acquired full ownership of Lamborghini. This acquisition causes Lamborghini to be ineligible for an exemption under 49 U.S.C. Section 32902(d) for MYs 1998 and 1999. However, Vector remains eligible for an exemption from the generally applicable average fuel

economy standard. A final decision will be issued in early 1999.

NHTSA also witnessed the acquisition of another low volume manufacturer by an import manufacturer. On July 3, 1998, Volkswagen AG (Volkswagen) purchased Rolls-Royce Motor Cars. Volkswagen's acquisition of Rolls-Royce renders this low volume manufacturer ineligible for an exemption under 49 U.S.C. Section 32902(d) for MY 1998 and thereafter. Together, Audi and Volkswagen have an annual worldwide production of more than 10,000 vehicles.

**C. Enforcement**

49 U.S.C. 32912(b) imposes a civil penalty of \$5.50 for each tenth of a mpg

by which a manufacturer's CAFE level falls short of the standard, multiplied by the total number of passenger automobiles or light trucks produced by the manufacturer in that model year. Credits earned for exceeding the standard in any of the three model years immediately prior to or subsequent to the model years in question can be used to offset the penalty.

Table III-1 shows CAFE fines paid by manufacturers in calendar year 1998. In calendar year 1998, manufacturers paid civil penalties totaling \$55,293,202 for failing to comply with the fuel economy standards of 27.5 mpg for passenger cars in MYs 1996 and 1997.

TABLE III-1.—CAFE FINES COLLECTED DURING CALENDAR YEAR 1998

Model year	Manufacturer	Amount fined	Date paid
1996	BMW	\$289,840	11/98
	Fiat	194,480	10/98
	Mercedes-Benz	6,825,610	11/98
	Porsche	2,127,600	11/98
	Land Rover	4,329,850	11/98
	Volvo	5,534,550	11/98
1997	BMW	11,834,910	11/98
	Fiat	542,340	10/98
	Mercedes-Benz	11,731,035	11/98
	Porsche	2,525,820	11/98
	Land Rover	4,195,032	11/98
	Volvo	5,162,135	11/98

**D. Contract Activities**

- Database Maintenance: Products and Production Capabilities of North American Automobile Manufacturing Plants.

This program was initiated to provide NHTSA with reliable information on industry product development and financing to assist in the analysis of fuel economy rulemaking activities. After calendar year 1998, NHTSA will terminate its contract for the maintenance of the database. This is because of funding reductions. In FY 1999, NHTSA will compile and maintain some of this information in-house. The agency has requested funds in the FY 2000 budget to restore contract support for maintenance of the database.

- Technology Study of Fuel Economy Benefits of Continuously Variable Transmissions (CVTs).

In fiscal year 1997, NHTSA initiated a study with a consultant to the Volpe National Transportation Systems Center to evaluate the fuel economy and emissions benefits and cost implications of continuously variable transmissions that may be feasible for vehicles larger than those vehicles that are currently

employing this technology (e.g., mid-size passenger cars and compact light trucks with an equivalent test weight of 3,625 pounds and a 3-liter engine). The study concluded that such an application would improve the vehicle fuel economy by 6 to 11 percent with no increase in cost or weight over a conventional 4-speed automatic transmission with lockup torque converter. The NO<sub>x</sub> emissions, however, would be higher. The final report will be published in early 1999.

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**DEPARTMENT OF THE TREASURY**

**Customs Service**

[T.D. 99-41]

**Revocation of Customs Broker's License**

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Broker's license revocation.

I, as Commissioner, hereby pursuant to section 641(b)(5), Tariff Act of 1930,

as amended (19 U.S.C. 1641(b)(5)) and section 111.45(a) of the Customs Regulations (19 CFR 111.45(a)), revoke the following Customs broker license.

Port	Individual	License No.
New York	Trimodal International, Inc.	7405

Dated: April 21, 1999.

**Raymond W. Kelly,**  
*Commissioner.*

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**DEPARTMENT OF THE TREASURY**

**Customs Service**

[T.D. 99-42]

**Cancellations of Customs Brokers' Licenses**

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Brokers' Licenses Cancellations.

I, as Commissioner, hereby pursuant to section 641(f), Tariff Act of 1930, as