

Standard No. 301

The petition stated that that non-U.S. certified 2001–2002 Mercedes Benz SL (Body 230) passenger cars are identical to their U.S. certified counterparts with respect to compliance with this standard.

U.S. Conformance expressed disagreement with this claim. The comment noted that after careful inspection, U.S. Conformance has determined that the fuel tank and related evaporative emission devices are not OBD2 compliant. The comment asserted that both systems must be able to trigger a “check engine” light in the event that a leak develops in either system, and do not have the capacity to do so. The comment expressed the belief that the fuel tank and evaporative emissions canister must be replaced with U.S.-model components.

J.K. responded that the modification identified by U.S. Conformance concern matters of E.P.A. compliance, but have no bearing on the conformity of the vehicles with applicable FMVSS.

Part 581 Bumper Standard

The petition stated that the vehicles, as originally manufactured, comply with the Bumper Standard.

U.S. Conformance stated that its physical inspection revealed that the front and rear bumper reinforcements do not extend to the corners of the chassis on either the driver's or the passenger's side. U.S. Conformance further stated that in its experience, some manner of reinforcement is required past the bumper corner and must continue longitudinally for a minimum of three inches. As a consequence, the comment asserted that without those reinforcements, the Mercedes Benz SL (R230 Body) is incapable of meeting the corner impact test requirements of the standard.

J.K. responded that the bumper systems of the European-model Mercedes Benz SL (R230 Body) are identical to those of the U.S.-certified model. J.K. submitted photographs of both components to verify this statement.

NHTSA believes that J.K. has adequately addressed each of the issues that U.S. Conformance has raised. The agency has been advised by representatives of DaimlerChrysler, the vehicle's manufacturer, that the Mercedes Benz SL (R230 Body) was first offered for sale in the United States in March 2002 as a model year 2003 vehicle. Since there were no substantially similar U.S.-certified versions of the vehicle in model years 2001 and 2002, J.K. should have

petitioned the agency to determine the vehicle's eligibility for importation pursuant to 49 U.S.C. 30141(a)(1)(B). As previously noted, that section permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test or such other evidence as NHTSA decides to be adequate. In this instance, the fact that there is a U.S.-certified counterpart for the 2003 model Mercedes Benz SL (R230 Body) has led the agency to conclude that non-U.S. certified models built in 2001 and 2002 have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS. In light of this circumstance, the agency has decided to grant the petition under 49 U.S.C. 30141(a)(1)(B).

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. VCP-19 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 2001–2002 Mercedes Benz SL (R230 Body) passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

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

Issued on: November 7, 2002.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

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DEPARTMENT OF THE TREASURY**Fiscal Service****Surety Companies Acceptable on Federal Bonds: Liquidation—Delta Casualty Company**

AGENCY: Financial Management Service, Fiscal Service, Department of the Treasury.

ACTION: Notice.

SUMMARY: Liquidation of an insurance company formerly certified by this Department as an acceptable surety/reinsurer on Federal bonds.

FOR FURTHER INFORMATION CONTACT: Surety Bond Branch at (202) 874-6850.

SUPPLEMENTARY INFORMATION: Delta Casualty Company, an Illinois company, formerly held a Certificate of Authority as an acceptable surety on Federal bonds and was last listed as such at 60 FR 34440, June 30, 1995. The Company's authority was terminated by the Department of the Treasury effective April 8, 1996. Notice of the termination was published in the **Federal Register** of April 24, 1996, on page 18192.

On December 4, 2001, upon a petition by the Director of Insurance of the State of Illinois, the Circuit Court of Cook County, Illinois, issued an Order of Liquidation with respect to Delta Casualty Company. Nathaniel S. Shapo, Director of Insurance of the State of Illinois, and his successors in office, were appointed as the Liquidator. All persons having claims against Delta Casualty Company must file their claims by December 4, 2002, or be barred from sharing in the distribution of assets.

All claims must be filed in writing and shall set forth the amount of the claim, the facts upon which the claim is based, any priorities asserted, and any other pertinent facts to substantiate the claim. Federal Agencies should assert claim priority status under 31 U.S.C. 3713, and send a copy of their claim, in writing, to: Department of Justice, Civil Division, Commercial Litigation Branch, P.O. Box 875, Ben Franklin Station, Washington, DC 20044-0875. Attn: Mr. Randy Harwell, Attorney.

The above office will consolidate and file any and all claims against Delta Casualty Company, on behalf of the United States Government. Any questions concerning filing of claims may be directed to Mr. Harwell at (202) 307-0180.

The Circular may be viewed and downloaded through the Internet (<http://www.fms.treas.gov/c570>). A hard copy may be purchased from the Government Printing Office (GPO), Subscription Service, Washington, DC, (202) 512-1800. When ordering the Circular from GPO, use the following stock number 769-004-04067-1.

Questions concerning this notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6F07, Hyattsville, MD 20782.

Dated: November 4, 2002.

Wanda Rogers,

*Director, Financial Accounting and Services
Division, Financial Management Service.*

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