

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2004-18972; Notice 1]

Michelin North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Michelin North America, Inc. (Michelin) has determined that the sidewall markings on certain tires that it manufactured in 2000 through 2003 do not comply with S4.2.1(c) of 49 CFR 571.109, Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New pneumatic tires." Michelin has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Michelin has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Michelin's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

A total of approximately 60,729 Michelin Symmetry P195/60R15 87S tires manufactured during 8/29/00 to 10/19/03 and approximately 12,633 Michelin Symmetry P205/60R15 90S tires manufacturing during 8/6/00 to 9/22/00 and 7/27/03 to 8/23/03 are affected. S4.2.1 of FMVSS No. 109 requires that each tire shall conform to the requirement that "(c) Its load rating shall be that specified in * * * one of the publications described in S4.4.1(b)."

The sidewall markings on the affected tires do not comply with S4.2.1(c) because the sidewall markings understate the actual carrying capacity of the tires. The Max Load value indicated is less than the actual load carry capability of the tires at the marked air pressure value of 240 kPa (35 psi). The P195/60R15 tires are incorrectly marked MAX LOAD 470 kg (1036 Lbs) and should have been marked Max Load 540 kg (1190 Lbs). The P205/60R15 tires are incorrectly marked MAX LOAD 510 kg (1124 Lbs) and should have been marked Max Load 590 kg (1301 Lbs).

Michelin believes that the noncompliance is inconsequential to motor vehicle safety and that no corrective action is warranted. Michelin states that at the indicated maximum pressure value of 35 psi the P195/60R15 tire will carry an extra 151 pounds per

tire and the P205/60R15 tire will carry an additional 177 pounds per tire, thus consumers relying upon the carrying capacity values marked on the tires will put less load on the tires than they are capable of carrying. Michelin further states that all of the performance requirements of FMVSS No. 109 are met or exceeded, and the tires are marked with the correct maximum pressure value of 35 psi. Michelin says:

The agency has previously concluded that this type of marking noncompliance does not have a negative impact on motor vehicle safety. In its granting of inconsequential status to a petition for a similar understated load capacity marking noncompliance, *See, e.g.*, 66 FR 222 (November 16, 2001), the agency determined that, if consumers were to rely upon such a labeling, they would put less load on the tire than it is capable of carrying, thus presenting no safety concern.

Interested persons are invited to submit written data, views, and arguments on the petition described above. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods. Mail: Docket Management Facility, U.S. Department of Transportation, Nassif Building, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically. Comments may be faxed to 1-202-493-2251, or may be submitted to the Federal eRulemaking Portal: go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: October 14, 2004.

Authority: 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8.

Issued on: September 8, 2004.

Kenneth N. Weinstein,

Associate Administrator for Enforcement.

[FR Doc. 04-20627 Filed 9-13-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE TREASURY**Internal Revenue Service**

[REG-251520-96]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing notice of proposed rulemaking and temporary regulation, REG-251520-96 (TD 8785), Classification of Certain Transactions Involving Computer Programs Redeterminations (Sections 1.861-18 and 1.861-18(k)).

DATES: Written comments should be received on or before November 15, 2004, to be assured of consideration.

ADDRESSES: Direct all written comments to Paul Finger, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet, at Allan.M.Hopkins@irs.gov.

SUPPLEMENTARY INFORMATION:

Title: Classification of Certain Transactions Involving Computer Programs.

OMB Number: 1545-1594.

Regulation Project Number: REG-251520-96.

Abstract: The information requested in regulation Section 1.861-18(k) is necessary for the Commissioner to determine whether a taxpayer is properly requesting to change its method of accounting. This regulation

provides rules for classifying transactions in computer programs. This regulation grants the taxpayer consent to change its method of accounting for transactions involving computer programs so that the taxpayer can conform with the classifications prescribed in the regulations.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 1.

Estimated Time per Respondent: 1 hour.

Estimated Total Annual Burden Hours: 1.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: September 3, 2004.

Paul Finger,

IRS Reports Clearance Officer.

[FR Doc. 04-20618 Filed 9-13-04; 8:45 am]

BILLING CODE 4830-01-P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

Name: C. Richard D'Amato, Chairman of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, evaluate and report to Congress annually on "the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China." Pursuant to this mandate, the Commission will be holding a public hearing in Akron, Ohio on September 23, 2004. The purpose of this hearing is to examine the impact of U.S.-China trade and investment on key manufacturing sectors. The Commission will receive testimony from labor and industry representatives, researchers and analysts of the auto and auto parts, rubber, glassware and ceramics, steel, machining tools, and other important regional manufacturing sectors on: (1) How they have been affected by economic relations with China, and (2) how this may be indicative of broader trends for the U.S. manufacturing base. The Commission will also hear from community representatives on the economic development and other local effects on the region's trade and investment relations with China.

Background

This event is part of a series of field hearings the Commission is holding to collect input from local industry and labor leaders, government officials, researchers, other informed witnesses and the public on the impact of U.S.-China trade and economic relations. The Commission will hold two field hearings this fall in Akron, Ohio (September 23) and Seattle, Washington (October 14) on various aspects of the U.S.-China trade and economic relationship. Information on upcoming field hearings, as well as transcripts of past Commission hearings, can be obtained from the USCC Web site at <http://www.uscc.gov>.

The Akron, Ohio hearing will be Co-chaired by Professor June Teufel Dreyer of The University of Miami and Michael Wessel, Senior Vice President of the Downey McGrath Group.

Purpose of Hearing

The hearing is designed to assist the Commission in fulfilling its mandate by exploring how U.S.-China trade and investment is impacting vital sectors of the U.S. economy. The Commission seeks to gain a better understanding of how Ohio and regional manufacturing industries have been impacted by U.S.-China economic relations. The Commission will also investigate how this is indicative of broader trends for the U.S. manufacturing base and the implications for U.S. economic and national security.

Invited witnesses include representatives of industry and labor, and researchers and analysts of the auto and auto parts, rubber, glassware and ceramics, steel, machining tools, and other important regional manufacturing sectors.

Copies of the hearing agenda will be made available on the Commission's Web site at <http://www.uscc.gov>. The hearing will be held in two sessions, one in the morning and one in the afternoon, where Commissioners will take testimony from invited witnesses. There will be a question and answer period between the Commissioners and the witnesses. Public participation is invited during the open-microphone session for public comment at the conclusion of the afternoon session. Sign-up for the open-microphone session will take place in the morning beginning at 8:30 a.m. and will be on a first come, first served basis. Each individual or group making an oral presentation will be limited to a total time of 3 minutes. Because of time constraints, parties with common interests are encouraged to designate a single speaker to represent their views.

DATES: Thursday, September 23, 2004, 9 a.m. to 6 p.m. eastern standard time inclusive. (Open microphone session will be from 5 to 6 p.m.) A detailed agenda for the hearing will be posted to the Commission's Web site at <http://www.uscc.gov> in the near future.

ADDRESSES: The hearing will be held at the Akron City Council offices, room 301, Municipal Building, 166 South High Street, Akron, Ohio 44308. Parking is available at the CitiCenter and Summit County parking decks adjacent to the Municipal Building. Public seating is limited to about 70 people on a first come, first served basis.

Security Requirements: Everyone entering the Municipal Building is required to have a picture ID.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information concerning the hearing should contact Kathy Michels, Associate