

## Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS 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 as required 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 FMVSS.

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. Technologies, LLC (JK) of Baltimore, Maryland (Registered Importer 90-006), petitioned NHTSA to decide whether 2000 Audi A8 and S8 passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on October 24, 2003 (68 FR 61034) 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 petition, from Volkswagen of America, Inc. (VW), the U.S. representative of the vehicle's original manufacturer. VW addressed issues it believed J.K. had overlooked in describing alterations necessary to conform 2000 Audi A8 and S8 vehicles to FMVSS No. 208 *Occupant Crash Protection*.

The petition stated that the vehicles are capable of being readily altered to comply with FMVSS No. 208 *Occupant Crash Protection* by reprogramming the seat belt warning system so that it activates in the required manner. The petition also stated that the vehicles are equipped with automatic restraint systems consisting of dual front air bags, and with combination lap and shoulder belts at the front and rear outboard designated seating positions that are self-tensioning and release by means of a single red pushbutton. The petition

described these components and systems as being identical to those found on U.S. certified vehicles.

In its comment, VW acknowledged that the modifications identified in the petition are appropriate, but noted that additional modifications are necessary. Specifically, VW stated that the driver's seat belt buckle needs to be replaced to provide the required seat belt visual and audible warnings, and knee bolsters would have to be installed to conform to the injury criteria requirements of FMVSS No. 208.

The agency accorded J.K. an opportunity to respond to the issues raised by VW. In its response, J.K. stated that if after reprogramming, the visual and audible warnings do not activate correctly, the driver's side seat belt buckle will be replaced. J.K. further noted that all vehicles imported into the United States must be inspected for the presence of conforming knee bolsters.

Based on these considerations, the agency 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-424 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 has decided that 2000 Audi A8 and S8 passenger cars that were not originally manufactured to comply with all applicable FMVSS are substantially similar to 2000 Audi A8 and S8 passenger cars originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable FMVSS.

**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.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from BST Associates

(WB616—2/6/2006) for access to certain data from the Board's 1987-2004 Carload Waybill Samples. A copy of the request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

Contact: Mac Frampton, (202) 565-1541.

**Vernon A. Williams,**

*Secretary.*

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## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Proposed Information Collection; Comment Request

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, 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 a continuing information collection, as required by the Paperwork Reduction Act of 1995. Currently, the OCC is soliciting comment concerning its collection titled "Securities Offering Disclosure Rules—12 CFR Part 16".

**DATES:** You should submit written comments by: April 17, 2006.

**ADDRESSES:** You should direct all written comments to the Communications Division, Attention: 1557-0120, Third Floor, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by facsimile transmission to (202) 874-4448, or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov).

Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-0120, by mail to U.S. Office of Management and Budget, 725, 17th Street, NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** You can request additional information or a copy of the collection from Mary

Gottlieb or Camille Dickerson, (202) 874-5090, Legislative and Regulatory Activities Division (1557-0202), Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. You can inspect and photocopy the comments at the OCC's Public Reference Room, 250 E Street, SW., Washington, DC, between 9 a.m. and 5 p.m. on business days. You can make an appointment to inspect the comments by calling (202) 874-5043.

**SUPPLEMENTARY INFORMATION:** The OCC is requesting comment on the following proposed information collection:

*Title:* Securities Offering Disclosure Rules—12 CFR Part 16.

*OMB Number:* 1557-0120.

*Description:* This submission covers an existing regulation and involves no change to the regulation or to the information collection requirements. The OCC requests only that OMB approve its estimates, revised to correct a calculation error.

The requirements in part 16 enable the OCC to perform its responsibilities relating to offerings of securities by national banks by providing the investing public with facts about the condition of the bank, the reasons for raising new capital, and the terms of the offering. The public needs this information to make an informed decision on whether such securities are an appropriate investment.

- Section 16.3 requires a national bank to file its registration statement with the OCC.
- Section 16.4 requires a national bank to submit certain communications not deemed an offer to the OCC.

- Section 16.5 provides exemptions for certain offers or sales of banks securities, which, in turn, require certain filings.

- Section 16.6 requires a national bank to file documents with the OCC and to make certain disclosures to purchasers in sales of nonconvertible debt.

- Section 16.7 provides exemptions for certain nonpublic offerings, which, in turn, require certain filings.

- Section 16.8 provides small issues exemptions, which, in turn, require certain filings.

- Section 16.15 requires a national bank to file a registration statement and sets forth content requirements for the registration statement.

- Section 16.17 requires a national bank to file four copies of each document filed under part 16, and requires filers of amendments or revisions to underline or otherwise indicate clearly any changed information.

- Section 16.18 requires a national bank to file an amended prospectus when the information in the current prospectus becomes stale, or when a change in circumstances makes the current prospectus incorrect.

- Section 16.19 requires a national bank to submit a request to the OCC if it wishes to withdraw a registration statement, amendment, or exhibit.

- Section 16.20 requires a national bank to file current and periodic reports as required by sections 13 and 15(d) of the Exchange Act and those provisions of the Sarbanes-Oxley Act that the OCC is authorized to enforce.

- Section 16.30 requires a national bank to include certain elements and

follow certain procedures in any request to the OCC for a no-objection letter.

*Estimated number of respondents:* 30.

*Estimated number of responses:* 73.

*Average hours per response:* Varies.

*Estimated total burden hours:* 2,190 hours.

*Likely respondents:* National banks.

*Type of Review:* Revision.

*Affected Public:* Businesses or other for-profit.

Comments submitted in response to this notice will be summarized and 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 on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: February 7, 2006.

**Stuart Feldstein,**

*Assistant Director, Legislative & Regulatory Activities Division.*

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