

including communications-based operating systems.

*Task 97-7*—(Completed) Determining damages qualifying an event as a reportable train accident.

*Task 00-1*—(Completed-task withdrawn) Determining the need to amend regulations protecting persons who work on, under, or between rolling equipment and persons applying, removing, or inspecting rear end marking devices (Blue Signal Protection).

*Task 01-1*—(Completed) Developing conformity of FRA's regulations for accident/incident reporting (49 CFR part 225) to revised regulations of the Occupational Safety and Health Administration, U.S. Department of Labor, and to make appropriate revisions to the *FRA Guide for Preparing Accident/Incident Reports* (Reporting Guide).

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740), for more information about the RSAC.

Issued in Washington, DC on August 20, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. E8-20030 Filed 8-28-08; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0135]

#### Decision that Certain Nonconforming Motor Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice of decision by NHTSA that certain nonconforming motor vehicles are eligible for importation.

**SUMMARY:** This document announces decisions by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards or because they have safety features that comply with, or are

capable of being altered to comply with, all applicable FMVSS.

**DATES:** These decisions became effective on the dates specified in Annex A.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

#### 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 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/or 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 FMVSS.

Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) 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 data or such other evidence as NHTSA decides to be adequate.

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**.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into the United States. To afford an opportunity for public comment, NHTSA published notice of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions. No substantive comments were received in response to these notices. Based on its review of the information submitted by the petitioners, NHTSA has decided to grant the petitions.

#### 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. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable FMVSS, is either (1) substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable FMVSS or (2) has 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)(A), (a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 25, 2008.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

#### Annex A—Nonconforming Motor Vehicles Decided To Be Eligible for Importation

1. Docket No. NHTSA-2007-0023

Nonconforming Vehicles: 2001 Chevrolet Tahoe multipurpose passenger vehicles.  
Substantially Similar U.S. Certified Vehicles: 2001 Chevrolet Tahoe multipurpose passenger vehicles.  
Notice of Petition Published at: 72 FR 63651 (November 9, 2007).  
Vehicle Eligibility Number: VSP-501 (effective date January 16, 2008).

2. Docket No. NHTSA-2007-0022

Nonconforming Vehicles: 2005 Volkswagen Golf passenger cars.  
Substantially Similar U.S. Certified Vehicles: 2005 Volkswagen Golf passenger cars.  
Notice of Petition Published at: 72 FR 63229 (November 8, 2007).  
Vehicle Eligibility Number: VSP-502 (effective date January 16, 2008).

3. Docket No. NHTSA-2008-0051

Nonconforming Vehicles: 2000 Chevrolet Tahoe multipurpose passenger vehicle.

Substantially Similar U.S. Certified Vehicles: 2000 Chevrolet Tahoe multipurpose passenger vehicle. Notice of Petition Published at: 73 FR 16960 (March 31, 2008). Vehicle Eligibility Number: VSP-504 (effective date May 19, 2008).

4. Docket No. NHTSA-2008-0062  
Nonconforming Vehicles: 2005 Jeep Liberty multipurpose passenger vehicle.

Substantially Similar U.S. Certified Vehicles: 2005 Jeep Liberty multipurpose passenger vehicle. Notice of Petition Published at: 73 FR 19135 (April 8, 2008). Vehicle Eligibility Number: VSP-505 (effective date June 2, 2008).

5. Docket No. NHTSA-2008-0092  
Nonconforming Vehicles: 2007 Harley Davidson FX, FL, XL, & VR Series motorcycles.

Substantially Similar U.S. Certified Vehicles: 2007 Harley Davidson FX, FL, XL, & VR Series motorcycles. Notice of Petition Published at: 73 FR 27025 (May 12, 2008). Vehicle Eligibility Number: VSP-506 (effective date June 25, 2008).

6. Docket No. NHTSA-2008-0110  
Nonconforming Vehicles: 2004-2005 Ferrari 575 passenger cars. Substantially Similar U.S. Certified Vehicles: 2004-2005 Ferrari 575 passenger cars. Notice of Petition Published at: 73 FR 32784 (June 10, 2008). Vehicle Eligibility Number: VSP-507 (effective date July 16, 2008).

7. Docket No. NHTSA-2008-0117  
Nonconforming Vehicles: 2006 Lamborghini Gallardo Roadster passenger cars manufactured between January 1, 2006 and August 31, 2006. Substantially Similar U.S. Certified Vehicles: 2006 Lamborghini Gallardo Roadster passenger cars manufactured between January 1, 2006 and August 31, 2006. Notice of Petition Published at: 73 FR 36375 (June 26, 2008). Vehicle Eligibility Number: VSP-508 (effective date August 4, 2008).

8. Docket No. NHTSA-2008-0120  
Nonconforming Vehicles: 2004 Land Rover Range Rover multipurpose passenger vehicles. Substantially Similar U.S. Certified Vehicles: 2004 Land Rover Range Rover multipurpose passenger vehicles. Notice of Petition Published at: 73 FR 36373 (June 26, 2008). Vehicle Eligibility Number: VSP-509 (effective date August 4, 2008).

9. Docket No. NHTSA-2008-0094  
Nonconforming Vehicles: 1988-1994 Alpina B12 5.0 Sedan passenger cars. Because there are no substantially similar U.S.-certified version 1988-1994 Alpina B12 5.0 Sedan passenger cars, the petitioner sought import eligibility under 49 U.S.C. 30141(a)(1)(B). Notice of Petition Published at: 73 FR 27890 (May 14, 2008). Vehicle Eligibility Number: VCP-41 (effective date June 25, 2008).

[FR Doc. E8-20062 Filed 8-28-08; 8:45 am]  
BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0143]

#### Plan for Evaluating the Effectiveness of Vehicle and Behavioral Programs, 2008-2012

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for comments.

**SUMMARY:** This notice announces the publication by NHTSA of its Evaluation Program Plan for 2008-2012. The report describes the agency's ongoing and planned evaluations of its existing Federal Motor Vehicle Safety Standards [49 CFR part 571] and other vehicle-safety, behavioral-safety and consumer programs. It also summarizes the results of completed evaluations. The agency's evaluation program responds to Executive Order 12866, which provides for Government-wide review of existing significant Federal regulations. This notice solicits public review and comment on the evaluation plan. Comments received will be used to improve the plan.

**DATES:** Comments must be received no later than December 29, 2008.

**ADDRESSES:** *Report:* The Evaluation Program Plan is available on the Internet for viewing online in PDF format at <http://www-nrd.nhtsa.dot.gov/Pubs/810983.PDF>. You may obtain a copy of the plan free of charge by sending a self-addressed mailing label to Charles J. Kahane (NVS-431), National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

*Comments:* You may submit comments [identified by Docket Number NHTSA-2008-0143] by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., between 9 am and 5 pm Eastern Time, Monday through Friday, except Federal holidays. You may call Docket Management at 202-366-9826.

*Instructions:* For detailed instructions on submitting comments, see the Procedural Matters section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Charles J. Kahane, Chief, Evaluation Division, NVS-431, National Center for Statistics and Analysis, National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-2560. *E-mail:* [chuck.kahane@dot.gov](mailto:chuck.kahane@dot.gov).

*For information about NHTSA's evaluations of the effectiveness of existing regulations and programs:* Visit the NHTSA Web site at <http://www.nhtsa.dot.gov> and click "NCSA" near the upper right corner on the home page; then click "Regulatory Evaluation" under "Browse Topics" on the "NCSA" page.

**SUPPLEMENTARY INFORMATION:** NHTSA has rigorously evaluated its major programs as a matter of policy since 1970. The evaluation of the effectiveness of the Federal Motor Vehicle Safety Standards (FMVSS) began in 1975. The Government Performance and Results Act of 1993 and Executive Order 12866, "Regulatory Planning and Review," issued in October 1993 (58 FR 51735), now oblige all Federal agencies to evaluate their existing programs and regulations. Previously, Executive Order 12291, issued in February 1981 (46 FR 13193), also required reviews of existing regulations. Even before 1981, however, NHTSA was a leader among Federal agencies in evaluating the effectiveness of existing regulations and technologies. There are large databases of motor vehicle crashes that can be analyzed to find out what vehicle and behavioral safety programs work best.

This five-year plan for the Evaluation Division of the Office of Regulatory