installation and thus provide accessibility and visibility of the full TIN on the outside sidewall:

Pirelli’s internal policy allows dealers to sell these tires only in pairs or in groups of four. As a result, these replacement tires are installed either on both sides of the rear axle or on all four locations. The odds of even one tire being mounted incorrectly are extremely remote, and the odds of two or four tires being mounted the wrong way are even more remote.

All subject tires are either Pzero Nero M+S or Scorpion Zero Asimmetrico. Both product families are ultra high performance tires; their asymmetric tread design is one of the main features sought by consumers for the following reasons: Precision handling in all conditions; full and compact external shoulder blocks for increased safety and dry handling performance; and inner shoulders designed to maximize traction with deeper and more regular cuts. These benefits are obtained only if the tires are mounted with the outer sidewall pointing to the outside of the vehicle. Having paid a substantial price to obtain these performance characteristics, the customers seek to ensure that their tires are installed correctly.

Pirelli’s product literature and training procedures reinforce the message on proper mounting.

Pirelli provides extensive training to its authorized dealers, and that training focuses specifically on the need to mount asymmetric tires in the correct way.

A second TIN number (on the inboard side of the tire) is not necessary either to ensure traceability or to allow consumers to operate their vehicles safely.

Pirelli has not received a single complaint from any consumer, dealer, law enforcement agency, or other source that indicated any difficulty or problem in finding the full TIN, including the date code on its asymmetrical tires.

Pirelli collects and tracks data on warranty claims for all of tires, including the tires at issue here. The warranty data confirm that these tires have performed extremely well in the field. The number of claims is very small, and there have been no claims involving property damage.

In summation, for the reasons stated above, Pirelli believes that the described noncompliance concerning the tire labeling requirements of paragraphs 5.5 and 7.3 of FMVSS No. 139 is inconsequential and does not present a risk to motor vehicle safety. Thus, Pirelli requests that its petition, to exempt it from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120, should be granted. In the supplement to its petition Pirelli additionally requested that if NHTSA decides that a complete exemption should not be granted, that at a minimum, NHTSA exempt the company from standard remedy requirements. Rather than replacing all tires subject to any such recall, Pirelli suggests that it would instead issue recall notices to all end users who can be located. Pirelli then would have its dealers inspect the tires. If the tires are properly mounted, with the TINs facing the outside of the vehicle, the tires would be left on the vehicle. If any tires were found to be mounted with the outer sidewalls facing inward (which is extremely unlikely), the tires would be remounted in the appropriate way.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance.

Interested persons are invited to submit written data, views, and arguments on this petition. 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:

a. By mail addressed to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

b. By hand delivery to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 am to 5 pm except Federal Holidays.


Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided.

Documents filed to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at http://www.regulations.gov by following the online instructions for accessing the dockets. DOT’s complete Privacy Act Statement is available for review in the Federal Register published on April 11, 2000 (65 FR 19477–78).

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.

Dates: Comment closing date: December 9, 2010.


Claude H. Harris,
Director, Office of Vehicle Safety Compliance.
[FR Doc. 2010–28195 Filed 11–8–10; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY
Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

DEPARTMENT OF THE TREASURY
Office of Thrift Supervision

Agency Information Collection Activities: Submission for OMB Review; Joint Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); Federal Deposit Insurance Corporation (FDIC); and Office of Thrift Supervision (OTS), Treasury.

ACTION: Notice of information collection to be submitted to OMB for review and approval under the Paperwork Reduction Act of 1995.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. chapter 35), the OCC, the Board, the FDIC, and the OTS (the “agencies”) may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it
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displays a currently valid Office of Management and Budget (OMB) control number. On September 3, 2010, the agencies, under the auspices of the Federal Financial Institutions Examination Council (FFIEC), requested public comment for 60 days on a proposal to revise the Consolidated Reports of Condition and Income (Call Report) for banks, the Thrift Financial Report (TFR) for savings associations, the Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002), and the Report of Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank (FFIEC 002S), all of which are currently approved collections of information. No comments were received on the proposal. The FFIEC and the agencies will implement the revisions to the reports as proposed.

DATES: Comments must be submitted on or before December 9, 2010.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments, which should refer to the OMB control number(s), will be shared among the agencies.

OCC: You should direct all written comments to: Communications Division, Office of the Comptroller of the Currency, Mailstop 2–3, Attention: 1557–0081, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874–5274, or by electronic mail to regs.comments@occ.treas.gov. You may personally inspect and photocopy comments at the OCC, 250 E Street, SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 874–4700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Board: You may submit comments, which should refer to “Consolidated Reports of Condition and Income (FFIEC 031 and 041)" or “Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002) and Report of Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank (FFIEC 002S),” by any of the following methods:

• Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.
• E-mail: regs.comments@federalreserve.gov. Include reporting form number in the subject line of the message.
• Fax: (202) 452–3819 or (202) 452–3102.
• Mail: Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551.

All public comments are available from the Board’s Web site at http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP–300 of the Board’s Martin Building (20th and C Streets, NW.) between 9 a.m. and 5 p.m. on weekdays.

FDIC: You may submit comments, which should refer to “Consolidated Reports of Condition and Income, 3064–0052,” by any of the following methods:

• Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.
• E-mail: comments@FDIC.gov. Include “Consolidated Reports of Condition and Income, 3064–0052” in the subject line of the message.
• Mail: Gary A. Kuiper, (202) 906–3077, Counsel, Attn: Comments, Room F–1072, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.
• Hand Delivery: Comments may be hand delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7 a.m. and 5 p.m.

Public Inspection: All comments received will be posted without change to http://www.fdic.gov/regulations/laws/federal/propose.html including any personal information provided.

Comments may be inspected at the FDIC Public Information Center, Room E–1002, 3501 Fairfax Drive, Arlington, VA 22226, between 9 a.m. and 5 p.m. on business days.

OTS: You may submit comments, identified by “1550–0023 (TFR: Schedule DI Revisions),” by any of the following methods:

• Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.
• E-mail address: infocollection.comments@ots.treas.gov. Please include “1550–0023 (TFR: Schedule DI Revisions)” in the subject line of the message and include your name and telephone number in the message.
• Fax: (202) 906–6518.
• Mail: Information Collection Comments, Chief Counsel’s Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, Attention: “1550–0023 (TFR: Schedule DI Revisions).”

Hand Delivery/Courier: Guard’s Desk, East Lobby Entrance, 1700 G Street, NW., from 9 a.m. to 4 p.m. on business days, Attention: Information Collection Comments, Chief Counsel’s Office, Attention: “1550–0023 (TFR: Schedule DI Revisions).”

Docket: For access to the docket to read background documents or comments received, go to http://www.ots.treas.gov/pagehtml.cfm?catNumber=679an=1, including any personal information provided.

In addition, you may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment for access, call (202) 906–5922, send an e-mail to public.info@ots.treas.gov, or send a facsimile transmission to (202) 906–7755. (Prior notice identifying the materials you will be requesting will assist us in serving you.) We schedule appointments on business days between 10 a.m. and 4 p.m. In most cases, appointments will be available the next business day following the date we receive a request. Additionally, commenters may send a copy of their comments to the OMB desk officer for the agencies by mail to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street, NW., Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: For further information about the revisions discussed in this notice, please contact any of the agency clearance officers whose names appear below. In addition, copies of the Call Report, FFIEC 002,

**Estimated Time per Response:**

- **Estimated Total Annual Burden:**
  - FDIC: 4,800 insured State nonmember banks.
  - OCC: 186,837 burden hours.
  - FFIEC: 299,696 burden hours.

- **Estimated Number of Respondents:**
  - FDIC: 1,440 hours.
  - OCC: 2,106 hours.
  - FFIEC: 3,000 hours.

**Frequency of Response:**

- **Call Report:** Quarterly.
- **FFIEC 002:** Monthly.
- **FFIEC 002S:** Quarterly.

**Affected Public:**

- Business or other for-profit.
- Affected Public: Business or other for-profit.

**SUPPLEMENTARY INFORMATION:**

The agencies are proposing to revise the Call Report, the TFR, the FFIEC 002, and the FFIEC 002S, which are currently approved collections of information.

1. **Report Title:** Consolidated Reports of Condition and Income (Call Report).

   - **Form Number:** FFIEC 031 (for banks with domestic and foreign offices) and FFIEC 041 (for banks with domestic offices only).

   - **Frequency of Response:** Quarterly.
   - **Affected Public:** Business or other for-profit.


   - **Form Number:** OTS 1313 (for savings associations).

   - **Frequency of Response:** Annually.
   - **Affected Public:** Business or other for-profit.

**OTS**

- **OMB Number:** 1550–0023.
- **Estimated Number of Respondents:** 753 savings associations.
- **Estimated Time per Response:** 37.5 burden hours.
- **Estimated Total Annual Burden:** 179,676 burden hours.

**Board**

- **OMB Number:** 7100–0032.
- **Estimated Number of Respondents:** 814 State member banks.
- **Estimated Time per Response:** 55.54 burden hours.
- **Estimated Total Annual Burden:** 186,837 burden hours.

**FDIC**

- **OMB Number:** 3064–0052.
- **Estimated Number of Respondents:** 4,800 insured State nonmember banks.

- **Estimated Time per Response:** 40.18 burden hours.
- **Estimated Total Annual Burden:** 771,456 burden hours.

The estimated time per response for the Call Report is an average that varies by agency because of differences in the composition of the institutions under each agency’s supervision (e.g., size distribution of institutions, types of activities in which they are engaged, and existence of foreign offices). The average reporting burden for the Call Report is estimated to range from 16 to 655 hours per quarter, depending on an individual institution’s circumstances and without considering proposed revisions to the Call Report that the OCC, the Board, and the FDIC have separately proposed to implement in March 2011.

1. **75 FR 60497 (September 30, 2010).**
Liquidity Guarantee Program (TLGP).2

Directors adopted the Transaction
transaction accounts.

pertaining to the insurance of
Consumer Protection Act (Dodd-Frank
These changes respond to amendments
schedules effective December 31, 2010.

instructions for an existing item in these
collecting data related to deposit
items to the schedules in the Call

Current Actions

The agencies are proposing to add two
items to the schedules in the Call
Report, the TFR, and the FFIEC 002 for
collecting data related to deposit
insurance assessments and to revise the
instructions for an existing item in these
schedules effective December 31, 2010.

These changes respond to amendments
made to the Federal Deposit Insurance
Act (FDI Act) by Section 343 of the
Dodd-Frank Wall Street Reform and
Consumer Protection Act (Dodd-Frank
pertaining to the insurance of
transaction accounts.

In October 2008, the FDIC Board of
Directors adopted the Transaction
Account Guarantee (TAG) program as
one of two components of a Temporary
Liquidity Guarantee Program (TLGP).2

Under the TAG program the FDIC
guarantees all funds held at
participating insured depository
institutions (beyond the maximum
deposit insurance limit) in qualifying
noninterest-bearing transaction
accounts, which include certain
interest-bearing NOW accounts.

Originally set to expire on December 31,
2009, the TAG program has since been
extended, with certain modifications,
through December 31, 2010, with the
possibility of an additional 12-month
extension, through December 31, 2011.3

Section 343 of the Dodd-Frank Act
amends the FDI Act with respect to the
insurance coverage of noninterest-
bearing transaction accounts. These
amendments take effect December 31,
2010, and require the FDIC to “fully

insure the net amount that any
depositor at an insured depository
institution maintains in a noninterest-
bearing transaction account,” thereby in
effect replacing the FDIC’s TAG
program. Section 343 includes a
definition of “noninterest-bearing
transaction account” that differs from
the definition of this term in the FDIC’s
TAG program regulations.4 In addition,
the unlimited insurance coverage of
these accounts applies to all insured
depository institutions, not just those
institutions that elected to obtain
insurance coverage for noninterest-
bearing transaction accounts through
the FDIC’s TAG program. Under Section
343, the unlimited insurance coverage
of noninterest-bearing transaction
accounts would be in effect through
December 31, 2012.

As a result of this statutory change in
deposit insurance coverage for
noninterest-bearing transaction
accounts, the agencies requested
comment on September 3, 2010 on a
proposal to add two items to the
schedules in the Call Report, the TFR,
and the FFIEC 002 in which data are
collected for deposit insurance
assessment purposes (Schedule RC–O,
Schedule DI, and Schedule O,
respectively) effective December 31,
2010.5 As of that report date, all insured
depository institutions, including those
institutions that had not elected to
participate in the FDIC’s TAG program,
would begin to report the quarter-end
amount and number of noninterest-
bearing transaction accounts (as defined
in the Dodd-Frank Act, not as defined
in the FDIC’s TAG program regulations)
of more than $250,000. These data are
needed in order for the FDIC to estimate
the quarter-end amount of insured
deposits for reserve ratio calculation
purposes5 and to determine the
appropriate level of the Deposit
Insurance Fund’s contingent loss
reserve for anticipated failures of
insured depository institutions. Unless
the unlimited insurance coverage of
noninterest-bearing transaction accounts
under Section 343 of the Dodd-Frank
Act is extended, the two proposed new
items would be collected only through the
December 31, 2012, report date.

Institutions participating in the
FDIC’s TAG program should note that,
for purposes of determining their TAG
program assessments for the fourth
calendar quarter of 2010 (which will be
payable on March 30, 2011), they must complete the existing TAG program data
items—Call Report Schedule RC–O,
Memorandum items 4.a and 4.b; TFR
Schedule DI, items DI570 and DI575; or
FFIEC 002 Schedule O, Memorandum
items 4.a and 4.b, as appropriate—for the
final time in their December 31,
2010, reports. These items capture the
average daily amount and average daily
number for the quarter of qualifying
noninterest-bearing transaction accounts
of more than $250,000 as defined in the
FDIC’s TAG program regulations.

As a result of the unlimited insurance
coverage for noninterest-bearing
transaction accounts effective December 31,
2010, the agencies also requested
comment on September 3, 2010, on a
proposed revision of the instructions for
reporting estimated uninsured deposits
in Call Report Schedule RC–O,
Memorandum item 2; TFR Schedule DI,
item DI210; and FFIEC 002 Schedule O,
Memorandum item 2.7 These items are
required to be completed by institutions
with $1 billion or more in total assets.
At present, balances in TAG program
qualifying noninterest-bearing
transaction accounts of more than
$250,000 are treated as uninsured
deposits for purposes of reporting
estimated uninsured deposits because
the TAG program was instituted as a
component of the TLGP, which resulted
from a systemic risk determination.
Thus, TAG program insurance coverage
and assessments are separate from the
regular deposit insurance program
administered by the FDIC. Under the
Dodd-Frank Act, the extension of
unlimited insurance coverage to
noninterest-bearing transaction accounts
at all insured depository institutions
falls within the FDIC’s regular deposit
insurance program. Therefore, in
response to this statutory change in
insurance coverage, the instructions for
reporting estimated uninsured deposits
in the Call Report, TFR, and FFIEC 002
items identified above would be revised
to indicate that balances of more than

\(^2\) To administer the TLGP, the FDIC Board
approved an interim rule on October 23, 2008, an
amendment to the interim rule on November 4,
2008, and a final rule on November 21, 2008. See
73 FR 64179 (October 29, 2008), 73 FR 66160
(November 7, 2008), and 73 FR 72244 (November
26, 2008), respectively.

\(^3\) See 74 FR 45093 (September 1, 2009), 75 FR
20257 (April 19, 2010), and 75 FR 36506 (June 28,
2010).

\(^4\) As defined in Section 343, a “noninterest-
bearing transaction account” is an account “(I)
with respect to which interest is neither accrued nor
paid; (II) on which the depositor or account holder
is permitted to make withdrawals by negotiable or
transferable instrument, payment orders of
withdrawal, telephone or other electronic media
transfers, or other similar items for the purpose of
making payments or transfers to third parties or
other; and (III) on which the insured depository
institution does not reserve the right to require
advance notice of an intended withdrawal.” In
contrast, under the FDIC’s TAG program, the term
“noninterest-bearing transaction account” includes
not only those accounts within the scope of Section
343 but also accounts commonly known as Interest
on Lawyers Trust Accounts (functionally
equivalent accounts) and negotiable order of
withdrawal accounts with interest rates no higher
than 0.25 percent for which the institution at which
the account is held has committed to maintain the
interest rate at or below 0.25 percent.

\(^5\) 75 FR 54227 (September 3, 2010).

\(^6\) The Deposit Insurance Fund’s reserve ratio is
the fund’s balance divided by estimated insured
deposits.
$250,000 in noninterest-bearing transaction accounts (as defined in the Dodd-Frank Act) should be treated as insured, rather than uninsured, deposits. Unless the unlimited insurance coverage of noninterest-bearing transaction accounts under Section 343 of the Dodd-Frank Act is extended, this instructional revision would be in effect only through the December 31, 2012, report date.

The agencies received no comments on their proposal to collect the quarter-end amount and number of noninterest-bearing transaction accounts (as defined in the Dodd-Frank Act) of more than $250,000 and to revise the instructions for reporting estimated uninsured deposits in the Call Report, the TFR, and the FFIEC 002 effective December 31, 2010. Accordingly, the agencies will implement these revisions as proposed, subject to OMB approval.

Request for Comment

Public comment is requested on all aspects of this joint notice. Comments are invited on:

(a) Whether the proposed revisions to the collections of information that are the subject of this notice are necessary for the proper performance of the agencies’ functions, including whether the information has practical utility;
(b) The accuracy of the agencies’ estimates of the burden of the information collections as they are proposed to be revised, including the validity of the methodology and assumptions used;
(c) Ways to enhance the quality, utility, and clarity of the information to be collected;
(d) Ways to minimize the burden of information collections 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.

Comments submitted in response to this joint notice will be shared among the agencies. All comments will become a matter of public record.


Michele Meyer,
Assistant Director, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency.


Jennifer J. Johnson,
Secretary of the Board.

Dated at Washington, DC, on November 3, 2010.

Federal Deposit Insurance Corporation.

Robert E. Feldman,
Executive Secretary.


Ira L. Mills,
Paperwork Clearance Officer, Office of Chief Counsel, Office of Thrift Supervision.

[FR Doc. 2010–28208 Filed 11–8–10; 8:45 am]