

Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC, on February 17, 2012.

**Patricia Lawton,**

*Departmental PRA Clearance Officer, Office of the Secretary.*

[FR Doc. 2012-4299 Filed 2-23-12; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT-OST-2004-16951]

### Request for Comments of a Reinstatement of a Previously Approved Information Collection

**AGENCY:** Office of the Secretary, DOT.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on November 8, 2011 (76 FR 69320). No comments were received.

**DATES:** Comments must be submitted on or before March 26, 2012.

**FOR FURTHER INFORMATION CONTACT:** Lauralyn Remo, Air Carrier Fitness Division (X-56), Office of Aviation Analysis, Office of the Secretary, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366-9721.

#### SUPPLEMENTARY INFORMATION:

*Title:* Aircraft Accident Liability Insurance, 14 CFR Part 205.

*OMB Control Number:* 2106-0030.

*Type of Request:* Reinstatement of a Previously Approved Information Collection.

*Abstract:* 14 CFR Part 205 contains the minimum requirements for air carrier accident liability insurance to protect the public from losses, and directs that certificates evidencing appropriate coverage must be filed with the Department.

*Respondents:* U.S. and foreign air carriers.

*Estimated Number of Respondents:* 5,308.

*Annual Estimated Total Burden on Respondents:* 1,854 hours.

*Frequency of Collection:* On occasion.

**ADDRESSES:** Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

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**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC, on February 17, 2012.

**Patricia Lawton,**

*Departmental PRA Clearance Officer, Office of the Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2012 0013]

### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel GOLIGHTLY; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime

Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before March 26, 2012.

**ADDRESSES:** Comments should refer to docket number MARAD-2012-0013. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979, Email [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel GOLIGHTLY is:

*Intended Commercial Use of Vessel:* "Private charter day sails in New York City and surrounding waters."

*Geographic Region:* "New York."

The complete application is given in DOT docket MARAD-2012-0013 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

**Privacy Act**

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.  
Dated: February 13, 2012.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2012-4140 Filed 2-23-12; 8:45 am]

BILLING CODE 4910-81-P

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

[Docket No. NHTSA-2010-0056; Notice 2]

**Yokohama Tire Corporation, Denial of Petition for Decision of Inconsequential Noncompliance**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Denial of Petition for Inconsequential Noncompliance.

**SUMMARY:** Yokohama Tire Corporation, (YTC),<sup>1</sup> replacement tires for passenger cars, manufactured between December 2, 2007, and September 19, 2009, failed to comply with paragraph S5.5.1(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. YTC has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports* (dated January 19, 2010).

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, YTC 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.

Notice of receipt of YTC's petition was published, with a 30-day public comment period, on May 20, 2010, in the **Federal Register** (75 FR 28319). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System Web site at: <http://www.regulations.gov/>. Then

<sup>1</sup> Yokohama Tire Company (YTC) is a replacement equipment manufacturer incorporated in the State of California.

follow the online search instructions to locate docket number "NHTSA-2010-0056."

For further information on this decision, contact Mr. George Gillespie, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5299, facsimile (202) 366-7002.

**Summary of YTC's Petition**

YTC petitioned NHTSA for a determination that a noncompliance in approximately 8,238 size P215/60R15 93H Yokohama AVID H4S brand passenger car replacement tires manufactured between December 2, 2007, and September 19, 2009, at YTC's plant located in Salem, Virginia is inconsequential to motor vehicle safety.

YTC explains that the noncompliance is that, due to a mold labeling error, the markings on the non-compliant tires omit the partial tire identification number on one of the sidewalls as required by paragraph S5.5.1(b). YTC also indicates that the non-compliant tires include the full Tire Identification Number (TIN) on one sidewall but omit the partial serial number on the other sidewall. YTC reported that this noncompliance was brought to their attention when "one of several molds were being certified and readied as part of a production quantity of replacement tires for the USA."

YTC explained its belief that the Tire Identification Number (TIN) and the partial TIN are used to properly identify tires that are involved in a safety campaign. YTC also stated its belief that the full TIN is molded on the intended outboard sidewall of these tires and consumers could be directed to have both sidewalls inspected for the TIN if any safety campaign would be required for these tires in the future.

In summation, YTC asserts that this noncompliance is inconsequential to motor vehicle safety because the noncompliant sidewall marking does not affect the physical characteristics of the tires and all other labeling requirements have been met. Therefore, no corrective action is warranted.

**NHTSA Decision:** NHTSA does not agree with YTC's assessment that the noncompliance with FMVSS No. 139 is inconsequential to motor vehicle safety. As discussed below, the tire markings required by paragraph S5.5.1(b) of FMVSS No. 139 provide valuable information to assist consumers in determining if their tires are the subject of a safety recall.

Paragraph S5.5.1(b) of FMVSS No. 139 requires that radial tires manufactured on or after September 1,

2009 for motor vehicles having a gross vehicle weight rating (GVWR) of 10,000 pounds or less be permanently labeled with (1) a full TIN required by 49 CFR part 574 on one sidewall of the tire (2) except for retreaded tires, either the full or a partial TIN containing all characters in the TIN, except for the date code, and at the discretion of the manufacturer, any optional code, must be labeled on the other sidewall of the tire.<sup>2</sup>

The tire recalls in the year 2000 highlighted the difficulty that consumers experienced when attempting to determine whether a tire is subject to a recall when a tire is mounted so that the sidewall bearing the TIN faces inward, i.e., underneath the vehicle. After a series of Congressional hearings about the safety of and experiences regarding the Firestone tires involved in those recalls, Congress passed and the President signed into law the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act on November 1, 2000. Public Law 106-414. 114 Stat. 1800.

One matter addressed by the TREAD Act was tire labeling. Section 11 of the TREAD Act required a rulemaking to improve the labeling of tires to assist consumers in identifying tires that may be the subject of a recall.

In response to the TREAD Act's mandate, NHTSA published a final rule that, among other things, required that the TIN be placed on a sidewall of the tire and a full or partial TIN be placed on the other sidewall. See 67 FR 69600, 69628 (November 18, 2002), as amended 69 FR 31306 (June 3, 2004). In the preamble to the 2002 final rule, the agency identified the safety problem which prompted the issuance of the rule. 67 FR at 69602, 69606, and 69610. The agency explained that when tires are mounted so that the TIN appears on the inward facing sidewalls, motorists have three difficult and inconvenient options for locating and recording the TINs. Consumers must either: (1) Slide under the vehicle with a flashlight, pencil and paper and search the inside sidewalls for the TINs; (2) remove each tire, find and record the TIN, and then replace the tire; or (3) enlist the aid of a garage or service station that can perform option 1 or place the vehicle on a vehicle lift so that the TINs can be

<sup>2</sup> Tires manufactured after September 1, 2009 must be labeled with the TIN on the intended outboard sidewall of a tire and either the TIN or partial TIN on the other sidewall. 49 CFR 571.139 S5.5.1(b). If a tire manufactured after September 1, 2009 does not have an intended outboard sidewall, one sidewall must be labeled with the TIN and the other sidewall must have either a TIN or partial TIN. Id.