

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

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0035, Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 1999 to 2006 Toyota Land Cruiser IFS 100 Series Multipurpose Passenger Vehicles Manufactured Prior to September 1, 2006 Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that nonconforming 1999 to 2006 Toyota Land Cruiser IFS 100 Series multipurpose passenger vehicles (MPVs) manufactured prior to September 1, 2006 that were 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 that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPV manufactured prior to September 1, 2006) and they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is May 4, 2012.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

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

- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 202-493-2251.

Instructions: 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. Please see the Privacy Act heading below.

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 (65 FR 19477-78).

How to Read Comments Submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202-366-5308).

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 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.

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**.

US SPECS, of Havre de Grace, Maryland (Registered Importer 03-321) has petitioned NHTSA to decide whether nonconforming 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPVs manufactured prior to September 1, 2006 are eligible for importation into the United States. The vehicles which US SPECS believes are substantially similar are 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPVs manufactured prior to September 1, 2006 that were manufactured for sale in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified nonconforming 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPVs manufactured prior to September 1, 2006 to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

US SPECS submitted information with its petition intended to demonstrate that non-U.S. certified 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPVs manufactured prior to September 1, 2006 as originally manufactured, conform to many FMVSS in the same manner as their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 1999 to 2006 Toyota Land Cruiser IFS 100 Series MPVs manufactured prior to September 1, 2006 are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic and Electric Brake Systems*, 106 *Brake*

Hoses, 109 *New Pneumatic Tires*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, 124 *Accelerator Control Systems*, 135 *Light Vehicle Brake Systems*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 207 *Seating Systems*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: (a) Inscription of the word "brake" on the brake telltale in place of the international ECE warning symbol; and (b) replacement of the speedometer with a unit reading in miles per hour, or modification of the existing speedometer so that it reads in miles per hour.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: installation of the following components on vehicles that are not already so equipped: (a) U.S.-model front side marker lamps; (b) U.S.-model headlamps; (c) U.S.-model tail lamps that incorporate rear side marker lights; (d) U.S.-model high-mounted stop lamp; and (e) front and rear side reflex reflectors.

Standard No. 110 Tire Selection and Rims: installation of a tire information placard on vehicles that are not already so equipped.

Standard No. 111 Rearview Mirrors: installation of a U.S.-model passenger side rearview mirror, or inscription of the required warning statement on the face of the existing mirror.

Standard No. 114 Theft Protection: installation of a supplemental key warning buzzer, or reprogramming of the starting system to meet the requirements of this standard.

Standard No. 118 Power-Operated Window, Partition, and Roof Panel Systems: reprogramming or rewiring of the power operated window system to meet the requirements of this standard.

Standard No. 201 Occupant Protection in Interior Impact: inspection of each vehicle and replacement of non U.S.-model upper interior components with U.S.-model components to meet the requirements of this standard on vehicles not already so equipped.

Standard No. 206 Door Locks and Door Retention Components: inspection of each vehicle and replacement of non U.S.-model door lock components with U.S.-model components on vehicles that are not already so equipped.

Standard No. 208 Occupant Crash Protection: inspection of each vehicle and (a) installation of a seat belt warning lamp and buzzer on vehicles that are not already so equipped; and (b) replacement of any non U.S.-model air bags, air bag control units, sensors, seat belts, and knee bolsters on vehicles that are not already so equipped. The petitioner states that the vehicles are equipped with an automatic restraint system that consists of dual front air bags and knee bolsters. In addition, the vehicles have combination lap and shoulder belts at the outboard front and rear seating positions that are self-tensioning and capable of being released by means of a single red push button.

Standard No. 209 Seat Belt Assemblies: inspection of each vehicle and replacement of any non U.S.-certified model seat belts with U.S.-model components.

Standard No. 214 Side Impact Protection: inspection of each vehicle and installation of door reinforcements to meet the requirements of the standard on vehicles that are not already so equipped.

Standard No. 225 Child Restraint Anchorage Systems: inspection of each vehicle and installation of U.S.-model child restraint anchorage system components on vehicles not already so equipped.

Standard No. 301 Fuel System Integrity: inspection of each vehicle and replacement of any non U.S.-model fuel system components with U.S.-model components on vehicles not already so equipped.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicles near the left windshield post to meet the requirements of 49 CFR Part 565.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

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.

Issued on: March 28, 2012.

Claude H. Harris,
Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Vehicle Theft Prevention Standard; Mitsubishi Motors

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

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the Mitsubishi Motors R&D of America, Inc.'s (Mitsubishi) petition for exemption of the Mitsubishi i-MiEV vehicle line in accordance with 49 CFR part 543, *Exemption From the Theft Prevention Standard*. This petition is granted, because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the 49 CFR part 541, *Federal Motor Vehicle Theft Prevention Standard*. Mitsubishi requested confidential treatment for specific information in its petition. The agency addressed Mitsubishi's request for confidential treatment by letter dated February 14, 2012.

DATES: The exemption granted by this notice is effective beginning with the 2013 model year (MY).

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, West Building, W43-443, 1200 New Jersey Avenue SE., Washington, DC 20590. Ms. Mazyck's phone number is (202) 366-0846. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: In a petition dated January 3, 2012, Mitsubishi requested exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR Part 541) for the Mitsubishi i-MiEV vehicle line, beginning with MY 2013. The petition requested an exemption from parts-marking pursuant to 49 CFR part 543, *Exemption From Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one vehicle line per model year. In its petition, Mitsubishi provided a detailed description and diagram of the identity, design and location of the components of the antitheft device for the i-MiEV vehicle line. Mitsubishi will install a passive, transponder-based,