

the required warning statement on the face of the existing mirror.

Standard No. 208—*Occupant Crash Protection*: Petitioner claims that the passive restraint system hardware in the nonconforming 2007 Chevrolet Corvette is identical to that found on the U.S.-certified 2007 Chevrolet Corvette, and has included a comparison of the advanced air bag component part numbers in its petition as proof. The petitioner also states that the software and firmware associated with the occupant protection system must be verified and updated with U.S.-version software as necessary to ensure that the system conforms to the standard. This may require the replacement of system components.

The petitioner additionally states that it will provide any owner's manual inserts that are required by this standard but not present in the vehicle.

Standard No. 301—*Fuel System Integrity*: Inspection of all vehicles and replacement of any non U.S.-model fuel system components with U.S.-model components.

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), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Issued on: November 8, 2012.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0167]

#### Technical Report Evaluating the Effectiveness of Tire Pressure Monitoring Systems (TPMS) in Proper Tire Pressure Maintenance

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

**ACTION:** Request for comments on technical report.

**SUMMARY:** This notice announces NHTSA's publication of a Technical Report reviewing and evaluating its existing Safety Standard 138, *Tire Pressure Monitoring Systems*. The report's title is: *Evaluation of the Effectiveness of TPMS in Proper Tire Pressure Maintenance*.

**DATES:** Comments must be received no later than March 19, 2013.

**ADDRESSES:** *Report:* The technical report is available on the Internet for viewing in PDF format at <http://www-nrd.nhtsa.dot.gov/Pubs/811681.pdf>. You may obtain a copy of the report free of charge by sending a self-addressed mailing label to Charles J. Kahane (NVS-431), National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue SE., Washington, DC 20590.

*Comments:* You may submit comments [identified by Docket Number NHTSA-2012-0167] 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 a.m. and 5 p.m. 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:** Bob Sivinski, Mathematical Statistician, Mathematical Analysis Division, NVS-421, National Center for Statistics and Analysis, National Highway Traffic Safety Administration, Room W55-212, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-2740. Email: [robert.sivinski@dot.gov](mailto:robert.sivinski@dot.gov).

For information about NHTSA's evaluations of the effectiveness of existing regulations and programs: You may see a list of published evaluation reports at <http://www-nrd.nhtsa.dot.gov/cats/listpublications.aspx?Id=226&>

*ShowBy=Category* and if you click on any report you will be able to view it in PDF format.

**SUPPLEMENTARY INFORMATION:** This report is an analysis of the data collected through the Tire Pressure Monitoring System-Special Study as it pertains to the effectiveness of TPMS in promoting proper tire inflation. The study was conducted in 2011, using a nationally representative sampling structure, based on the primary sampling units (PSUs) of the National Automotive Sampling System. NASS personnel collected 6,103 complete vehicle observations including tire pressure of all four tires. This survey found that 23.1 percent of the MY 2004-2007 vehicles without TPMS had at least one severely underinflated tire as defined by FMVSS No. 138 (25% or more below the vehicle manufacturer's recommended cold tire pressure), but only 11.8 percent of the MY 2004-2007 vehicles equipped with TPMS had a severely underinflated tire. Based on these results, the presence of TPMS on a vehicle of model years 2004 to 2007 is estimated to result in a 55.6-percent reduction in the likelihood that the vehicle will have one or more severely underinflated tires as defined by FMVSS No. 138. It is also estimated to result in a 30.7-percent reduction in the likelihood that the vehicle will have one or more tires that are overinflated by 25 percent or more above the manufacturer's recommended cold tire pressure. During the first eight years of operation TPMS is estimated to save a typical passenger car 9.32 gallons of fuel and a typical LTV 27.89 gallons of fuel. During 2011 TPMS is estimated to have saved \$511 million across the vehicle fleet through reduced fuel consumption. NHTSA plans to conduct further research to determine the effect of TPMS on the incidence of tire-related crashes and injuries.

#### Procedural Matters

*How can I influence NHTSA's thinking on this subject?*

NHTSA welcomes public review of the technical report. NHTSA will submit to the Docket a response to the comments and, if appropriate, will supplement or revise the report.

*How do I prepare and submit comments?*

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the Docket number of this document (NHTSA-2012-0167) in your comments.

Your primary comments must not be more than 15 pages long (49 CFR 553.21). However, you may attach additional documents to your primary comments. There is no limit on the length of the attachments.

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) or you may visit <http://www.regulations.gov>.

Please send two paper copies of your comments to Docket Management, fax them, or use the Federal eRulemaking Portal. The mailing address is U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The fax number is 1-202-493-2251. To use the Federal eRulemaking Portal, go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

We also request, but do not require you to send a copy to Charles J. Kahane, Chief, Evaluation Division, NVS-431, National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue SE., Washington, DC 20590 (or email them to [chuck.kahane@dot.gov](mailto:chuck.kahane@dot.gov)). He can check if your comments have been received at the Docket and he can expedite their review by NHTSA.

*How can I be sure that my comments were received?*

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

*How do I submit confidential business information?*

If you wish to submit any information under a claim of confidentiality, send three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Include a cover letter supplying the information specified in our

confidential business information regulation (49 CFR part 512).

In addition, send two copies from which you have deleted the claimed confidential business information to U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, or submit them via the Federal eRulemaking Portal.

*Will the agency consider late comments?*

In our response, we will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

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 check the Docket for new material.

*How can I read the comments submitted by other people?*

You may read the materials placed in the docket for this document (e.g., the comments submitted in response to this document by other interested persons) at any time by going to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. You may also read the materials at the Docket Management Facility by going to the street address given above under **ADDRESSES**. The Docket Management Facility is open between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

**Authority:** 49 U.S.C. 30111, 30168; delegation of authority at 49 CFR 1.50 and 501.8.

**James F. Simons,**  
*Director, Office of Regulatory Analysis and Evaluation.*

[FR Doc. 2012-27994 Filed 11-16-12; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35664]

### V and S Railway, LLC—Acquisition and Operation Exemption—Colorado Department of Transportation

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board is granting an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10902 and 49 CFR 1150.1 *et seq.*, for V and S Railway, LLC (V&S), a Class III rail carrier, to acquire approximately 121.9 miles of rail line between milepost 747.5, near Towner, and milepost 869.4, near NA Junction in Pueblo, Crowley, and Kiowa Counties, Colo. (the Towner Line). V&S filed its petition for exemption because, in an earlier Board proceeding, it received Board authority only to operate over the Towner Line by assignment of the lease of the previous operator.<sup>1</sup> However, V&S had actually purchased the Towner Line from the owner, the Colorado Department of Transportation (CDOT), which V&S has operated since December 29, 2005.

V&S also requests that the Board grant retroactive approval of its acquisition. V&S states that in the near future it expects to file a verified notice of exemption to abandon the western segment of the Towner Line, on which there has been no traffic for more than two years' time and asks that December 29, 2005, be the effective date of its acquisition. The Board denies the request of V&S for retroactive approval of its acquisition, but will allow V&S to file a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon the western segment of the Towner Line by waiving the requirement that it have had ownership of that portion of the line for at least two years before making the certification required at 49 CFR 1152.50(b).

**DATES:** This exemption will be effective December 13, 2012. Petitions to stay must be filed by November 28, 2012. Petitions to reopen must be filed by December 10, 2012.

**ADDRESSES:** Send an original and 10 copies of all pleadings referring to Docket No. FD 35664, to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, send one copy of pleadings to Fritz Kahn, Fritz Kahn, P.C., 1919 M Street NW., 7th Floor, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Jonathon Binet, (202) 245-0368. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in

<sup>1</sup> *V & S Ry.—Acquis. and Operation Exemption—Colo., Kan. & Pac. Ry.*, FD 34779 (STB served Dec. 30, 2005).