

office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2012-45 and should be submitted on or before December 19, 2012.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2012-28799 Filed 11-27-12; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice 8098]

Notice of Meeting of Advisory Committee on International Law

A meeting of the Advisory Committee on International Law will take place on Friday December 14, from 9:30 a.m. to approximately 5:30 p.m., at the George Washington University Law School (Frederick Lawrence Student Conference Center), 2000 H St. NW., Washington, DC. The meeting will be chaired by the Legal Adviser of the Department of State, Harold Hongju Koh, and will be open to the public up to the capacity of the meeting room. It is anticipated that the agenda of the meeting will cover a range of current international legal topics, including corporate social responsibility, principles of self-defense, maritime security, international promotion of the freedom of expression, and the International Law Commission's consideration of the topic of crimes against humanity.

Members of the public who wish to attend the session should, by Friday, December 7, 2012, notify the Office of the Legal Adviser (telephone: (202) 776-8442, email: LermanJB@state.gov KillTP@state.gov) of their name, professional affiliation, address, and telephone number. A valid photo ID is required for admittance. A member of the public who needs reasonable accommodation should make his or her request by December 5, 2012. Requests made after that time will be considered but might not be possible to accommodate.

¹⁸ 17 CFR 200.30-3(a)(12).

Dated: November 20, 2012.

Theodore P. Kill,

Attorney-Adviser, Office of Claims and Investment Disputes, Office of the Legal Adviser, Executive Director, Advisory Committee on International Law, Department of State.

[FR Doc. 2012-28851 Filed 11-27-12; 8:45 am]

BILLING CODE 4710-08-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twelfth Meeting: RTCA Special Committee 223, Airport Surface Wireless Communications

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT)

ACTION: Meeting Notice of RTCA Special Committee 223, Airport Surface Wireless Communications.

SUMMARY: The FAA is issuing this notice to advise the public of the meeting of the RTCA Special Committee 223, Airport Surface Wireless Communications.

DATES: The meeting will be held December 4-6, 2012, from 9:00 a.m.-5:00 p.m.

ADDRESSES: The meeting will be held at the Boeing, Building 2-25 Lobby, 7755 East Marginal Way South, Seattle, WA 98108.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC, 20036, or by telephone at (202) 330-0662/(202) 833-9339, fax (202) 833-9434, or Web site at <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. No. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 223. The agenda will include the following:

Tuesday, December 4th—Thursday, December 6th, 2012

- Plenary
- Welcome, Introductions, Administrative Remarks by Special Committee Leadership
- Agenda Overview
- Review/Approve prior Plenary Meeting Summary and Action Item Status
- General Presentations of Interest
 - ICAO WG-S Status
 - EUROCAE WG-82 Status
- Detailed MOPS Review
- Establish Agenda, Date and Place for Next Plenary Meetings
- Review of Meeting Summary Report

• **Adjourn—Plenary Meeting**
Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on November 8, 2012.

Richard F. Gonzalez,

Management Analyst, Business Operations Group, Federal Aviation Administration.

[FR Doc. 2012-28854 Filed 11-27-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2011-0165]

Parts and Accessories Necessary for Safe Operation; Grant of Exemption for Transecurity LLC (Transecurity)

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant an exemption to Transecurity LLC (Transecurity) that will allow the placement of an onboard safety monitoring system (OBMS) at the bottom of windshields on commercial motor vehicles (CMVs). The Federal Motor Carrier Safety Regulations (FMCSRs) currently require antennas, transponders, and similar devices to be located not more than 6 inches below the upper edge of the windshield, outside the area swept by the windshield wipers, and outside the driver's sight lines to the road and highway signs and signals. Transecurity is coordinating the development and installation of camera-based monitoring systems in up to 500 CMVs operating throughout the United States in support of research being conducted on behalf of FMCSA. The exemption would enable motor carriers to participate in a field operation test to evaluate the system and allow for on-road data collection. FMCSA believes that permitting the OBMS to be mounted lower than currently allowed, but still outside the driver's sight lines to the road and highway signs and signals, will maintain a level of safety that is equivalent to, or greater than, the level

of safety achieved without the exemption.

DATES: This exemption is effective from November 28, 2012 until November 28, 2014.

FOR FURTHER INFORMATION CONTACT: Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, MC-PSV, at (202) 366-0676 or luke.loy@dot.gov, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

Background

Section 4007 of the Transportation Equity Act for the 21st Century (TEA-21) [Pub. L. 105-178, June 9, 1998, 112 Stat. 107, 401] amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from the FMCSRs. A rule implementing section 4007 was published on December 8, 1998 (63 FR 67600). Under this rule, FMCSA must publish a notice of each exemption request in the *Federal Register* (49 FR 381.315(a)). The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

Transecurity's Application for Exemption

Transecurity applied for an exemption from 49 CFR 393.60(e)(1) to allow the installation of camera-based OBMS in up to 500 CMVs. A copy of the application is included in the docket referenced at the beginning of this notice.

Section 393.60(e)(1) of the FMCSRs prohibits the obstruction of the driver's field of view by devices mounted at the top of the windshield. Antennas, transponders and similar devices (devices) must not be mounted more than 152 mm (6 inches) below the upper edge of the windshield. These devices must be located outside the area swept by the windshield wipers and outside the driver's sight lines to the road and highway signs and signals.

Transecurity has applied for the exemption because it wants to install the camera-based OBMS equipment in up to 500 CMVs operating throughout the United States in support of research being conducted on behalf of the FMCSA Analysis, Research and Technology Division. Transecurity contends that it must be able to mount the camera-based OBMS lower than

allowed under 49 CFR 393.60(e)(1) "because the safety equipment must have a clear forward facing view of the road, and low enough to accurately scan facial features for detection of impaired driving." Transecurity's mounting preference for the camera-based OBMS and necessary brackets is at the bottom of the windshield; the best position is within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals.

FMCSA Grant of Waiver to Transecurity

Pursuant to 49 U.S.C. 31315(a) and 49 CFR part 381, subpart B, FMCSA granted Transecurity a 90-day waiver on July 23, 2012, to allow the placement of the OBMS at the bottom of windshields on CMVs, outside of the area permitted by 49 CFR 393.60. This waiver was effective from July 24, 2012, through October 23, 2012. Up to 500 OBMS were to be installed on CMVs operated by the motor carriers listed below:

1. DOT #90792; Eagle Transport Corporation-Rocky Mount, NC.
2. DOT #252234; Holiday Tours Inc.-Randleman, NC.
3. DOT #16377; H&W Trucking Co. Inc.-Mt. Airy, NC.
4. DOT #348258; Associated Grocers-Baton Rouge, LA.
5. DOT #2222676; AM Express Inc.-Escanaba, MI.

During the waiver period, these motor carriers participating in the FMCSA research field operation test must ensure that the OBMS is mounted within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals as much as practicable.

Comments

On August 23, 2012, FMCSA published notice of the Transecurity application and asked for public comment (77 FR 51104). The Agency received no comments. While FMCSA acknowledges that Transecurity did not present specific studies or data showing that safety will not be degraded, the Agency believes that placement of the OBMS within and/or below three inches of the bottom of the driver side windshield wiper sweep (1) will be outside the drivers' sight lines, and therefore (2) will not have an adverse impact on safety. The FMCSA encourages any party having information that motor carriers utilizing this exemption are not achieving the requisite level of safety immediately to notify the Agency. If safety is being

compromised, or if the continuation of the exemption is not consistent with 49 U.S.C. 31315(b) and 31136(e), FMCSA will take immediate steps to revoke the exemption.

Terms and Conditions for the Exemption

Based on its evaluation of the application for an exemption, FMCSA grants Transecurity's request. The Agency believes that the safety performance of motor carriers during the 2-year exemption period will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the OBMS would obstruct drivers' views of the roadway, highway signs and surrounding traffic; (2) generally, trucks and buses have an elevated seating position which greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the location within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightline is reasonable and enforceable at roadside. Without the exemption, FMCSA would be unable to test this innovative onboard safety monitoring system. The Agency hereby grants the exemption for a two-year period, beginning October 24, 2012 and ending October 23, 2014.

During the temporary exemption period, up to 500 OBMS will be installed on CMVs operated by the motor carriers listed below:

1. DOT #90792; Eagle Transport Corporation-Rocky Mount, NC.
2. DOT #252234; Holiday Tours Inc.-Randleman, NC.
3. DOT #16377; H&W Trucking Co. Inc.-Mt. Airy, NC.
4. DOT #348258; Associated Grocers-Baton Rouge, LA.
5. DOT#2222676; AM Express Inc.-Escanaba, MI.

These motor carriers must ensure that the OBMS is mounted within and/or below 3 inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals.

Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption.

Issued on: November 21, 2012.

Anne S. Ferro,
Administrator.

[FR Doc. 2012-28823 Filed 11-27-12; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition To Modify an Exemption of a Previously Approved Antitheft Device; Mitsubishi Motors R&D of America

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

ACTION: Grant of petition to modify an exemption of a previously approved antitheft device.

SUMMARY: On February 2, 2009, the National Highway Traffic Safety Administration (NHTSA) granted in full Mitsubishi Motors R&D (Mitsubishi) of America's petition for an exemption in accordance with § 543.9(c)(2) of 49 CFR part 543, *Exemption From the Theft Prevention Standard* for the Mitsubishi Outlander vehicle line beginning with its model year (MY) 2011 vehicles. On August 6, 2012, Mitsubishi submitted a petition to modify its previously approved exemption for the Outlander vehicle line beginning with its model year (MY) 2014 vehicles. Mitsubishi also requested confidential treatment of specific information in its petition. The agency will address Mitsubishi's request for confidential treatment by separate letter. NHTSA is granting Mitsubishi's petition to modify the exemption in full because it has determined that the modified device is also likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard.

DATES: The modification granted by this notice is effective beginning with the 2014 model year (MY).

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366-4139. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: On February 2, 2009, NHTSA published in the *Federal Register* a notice granting in full a petition from Mitsubishi for an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR 541) for the Outlander vehicle line beginning with its MY 2011

vehicles (see 74 FR 5891, February 2, 2009). The Mitsubishi Outlander is currently equipped with a passive, transponder-based, electronic engine immobilizer device and an audible and visible alarm.

On August 6, 2012, Mitsubishi submitted a petition to modify the previously approved exemption for the Outlander vehicle line. This notice grants in full Mitsubishi's petition to modify the exemption for the Outlander vehicle line beginning with its MY 2014 vehicles. Mitsubishi's submission is a complete petition, as required by 49 CFR part 543.9(d), in that it meets the general requirements contained in 49 CFR Part 543.5 and the specific content requirements of 49 CFR part 543.6. Mitsubishi's petition for modification provides a detailed description and diagram of the identity, design, and location of the components of the antitheft device proposed for installation beginning with the 2014 model year.

The current antitheft device installed on the Mitsubishi Outlander included an electronic key, electronic control unit (ECU), and a passive immobilizer. Mitsubishi stated that entry models for the Outlander vehicle line are equipped with an immobilizer that functions via a Wireless Control Module (WCM). The features of the WCM include a transponder key, key ring antenna, Electronic time and alarm control system (ETACS) ECU, and Engine ECU and a receiver antenna. Mitsubishi also incorporated an alarm system as standard equipment on all trimline vehicles. Mitsubishi stated that this is a keyless entry system in which the transponder is located in a traditional key and must be inserted into the key cylinder in order to activate the ignition. All other models of the Outlander vehicle line are equipped with an immobilizer that functions via a Keyless Operation System (KOS). The KOS utilizes a keyless system that allows the driver to push a knob in the steering lock unit to activate the ignition (instead of using a traditional key in the key cylinder) as long as the transponder is located in close proximity to the driver inside the vehicle.

Mitsubishi stated that once the ignition switch is turned to the "on" position, the transceiver module reads the specific ignition key code for the vehicle and transmits an encrypted message containing the key code to the electronic control unit (ECU). The immobilizer receives the key code signal transmitted from either type of key (WCM or KOS) and verifies that the key code signal is correct. The immobilizer then sends a separate encrypted start-

code signal to the engine ECU to allow the driver to start the vehicle. The power train only will function if the key code matches the unique identification key code previously programmed into the ECU. If the codes do not match, the power train engine and fuel system will be disabled. Mitsubishi state that the only difference between the two keyless entry systems is the "key" and the method used to transmit the information from the key to the immobilizer.

In its 2014 modification, Mitsubishi stated that it will continue to offer the WCM as standard equipment for the entry models for the Outlander vehicle line but all models other than the entry models will be equipped with a One-touch Starting System (OSS). The features of the OSS are the Engine ECU, ETACS ECU, OSS ECU, KOS ECU, engine (power) switch, keyless Operation Key (transponder key) and LF antenna. The OSS utilizes a keyless system that allows the driver to press a button located on the instrument panel to activate and deactivate the ignition (instead of using a traditional key in the key cylinder) as long as the transponder is located in close proximity to the driver. Mitsubishi stated that it will also introduce another model into the Outlander vehicle line beginning with its MY 2014 vehicle.

Once the ignition switch is pushed to the "on" position, the transceiver module reads the specific ignition key code for the vehicle and transmits an encrypted message containing the key code to the electronic control unit (ECU) which verifies that the key is correct. The immobilizer then sends a separate encrypted start-code signal to the engine ECU to allow the driver to start the vehicle. The engine will only function if the key code matches the unique identification key code previously programmed into the ECU. If the codes do not match, the engine and fuel system will be disabled. Mitsubishi further stated that the OSS has 250 million possible codes, making successful key code duplication nearly impossible. Mitsubishi stated that the immobilizer device and the ECU share security data when first installed during vehicle assembly, making them a matched set. These matched modules will not function if taken out and reinstalled separately on other vehicles. Mitsubishi also stated that the device is extremely reliable and durable because there are no moving parts, the key does not require a separate battery and it is impossible to mechanically override the device and start the vehicle.

Mitsubishi stated that the Mitsubishi Outlander has been equipped with the immobilizer device since MY 2007.