

examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

### Conclusion

Based upon its evaluation of the 26 exemption applications, FMCSA exempts Kenneth R. Anderson (AL), Randle A. Badertscher (WY), Gerald R. Bryson (MT), Matthew J. Burris (MN), Samuel F. Dyer (NV), Jerol G. Fox (DE), Michael S. Freeman (OR), Harold D. Grimes (MI), Daniel L. Helton (IL), Douglas W. Hunderman (MI), Robert L. Johnson (VA), Kevin R. Martin (MO), George R. Miller, III (PA), Ronald G. Monroe (IN), Ronald D. Norton (WI), Lawrence E. Olson (WA), Israel Ramos (NY), Jed Ramsey (ID), Raymond E. Richardson (MD), Craig W. Schafer (DE), Stephen L. Schug (FL), Shawn M. Seeley (CT), Mark S. Shepherd (MA), L. Everett Stamper (IN), Vernon F. Walters (ID), and Christopher M. Young (OK) from the ITDM requirement in 49 CFR 391.41(b)(3), subject to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption will be valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the 1/exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: January 18, 2013.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2013-01512 Filed 1-24-13; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0110; Notice 1]

#### Ford Motor Company, Receipt of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Receipt of Petition.

**SUMMARY:** Ford Motor Company<sup>1</sup> (Ford) has determined that certain model year 2009–2012 Ford F–650 and F–750 trucks manufactured between June 26, 2008 and May 8, 2012, do not fully comply with paragraph S5.3.2(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 105, *Hydraulic and Electric Brake Systems*. Ford has filed an appropriate report pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports* (dated July 2, 2012).

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Ford 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.

This notice of receipt of Ford's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

*Vehicles Involved:* Affected are approximately 19,756 model year 2009–2012 Ford F–650 and F–750 trucks that were manufactured between June 26, 2008 and May 8, 2012.

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. Therefore, these provisions only apply to the 19,756<sup>2</sup> model year 2009–2012 Ford F–

650 and F–750 passenger vehicles that Ford no longer controlled at the time it determined that the noncompliance existed.

*Noncompliance:* Ford explains that the noncompliance is that the subject vehicles do not illuminate the parking brake telltale lamp when the ignition switch is in the "on" or "start" positions as required by FMVSS No. 105.

### Rule Text

Paragraph S5.3.2(a) of FMVSS No. 105 requires:

S5.3.2(a) Except as provided in paragraph (b) of this section, all indicator lamps shall be activated as a check of lamp function either when the ignition (start) switch is turned to the "on" (run) position when the engine is not running, or when the ignition (start) switch is in a position between "on" (run) and "start" that is designated by the manufacturer as a check position.

### Summary of Ford's Analysis and Arguments

Ford stated its belief that although the affected vehicles do not illuminate the parking brake telltale lamp when the ignition start switch is in the "on" or "start" positions that the condition is inconsequential to motor vehicle safety for the following reasons:

(1) The parking brake telltale lamp functions as intended. Only the telltale bulb check at start-up is not illuminated.

(2) Unlike most other telltales, the park brake telltale will simultaneously illuminate when the customer applies the handbrake—essentially functioning as a bulb check. And, if the lamp does not illuminate when the handbrake is applied, the customer is able to identify the condition.

(3) If customers inadvertently operate the vehicle with the parking brake applied, the service brakes will not be affected because the design of the subject vehicles utilizes a separate, dedicated parking brake mounted on the driveshaft. Additionally, inadvertent application of the parking brake will result in poor vehicle acceleration and "drag" providing further indications that the parking brake is engaged.

(4) Instrument panel telltale bulbs are highly reliable. Engineering has reported no parking telltale bulb warranty claims for the subject vehicles.

(5) The physical position of the parking brake handle provides a readily apparent indication when the parking brake is applied. Partial park brake applications are not a concern because

<sup>1</sup> Ford Motor Company is a manufacturer of motor vehicles and is registered under the laws of the State of Delaware.

<sup>2</sup> Ford's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt Ford as a vehicle manufacturer from the notification and recall responsibilities of 49 CFR Part 573 for 19,756 of the affected vehicles. However, a decision on this petition cannot relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, introduction or delivery for introduction into

interstate commerce of the noncompliant vehicles under their control after Ford notified them that the subject noncompliance existed.

the handle mechanism utilizes an over-cam locking design, which assures the parking brake is either fully applied or fully released. This design precludes a parking brake from being partially applied.

(6) The subject vehicles incorporate a warning chime which activates (in addition to the parking brake telltale) when the parking brake is applied and the vehicle is driven over 4 miles-per-hour.

(7) Ford is unaware of any field or owner complaints or injuries regarding the subject noncompliance.

In summation, Ford believes that the described noncompliance of its vehicles is inconsequential to motor vehicle safety, and 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.

*Comments:* 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 a.m. to 5 p.m. except Federal Holidays.

c. *Electronically:* By logging onto the Federal Docket Management System (FDMS) Web site at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Comments may also be faxed to 1-202-493-2251.

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 submitted 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: February 25, 2013.

**Authority:** 49 U.S.C. 30118, 30120; Delegations of authority at CFR 1.95 and 501.8.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2013-01578 Filed 1-24-13; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Proposed Collection; Comment Request; Office of the Fiscal Assistant Secretary

**AGENCY:** Departmental Offices, Department of Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Office of the Fiscal Assistant Secretary (OFAS), within the Department of the Treasury, is soliciting comments concerning the Annual Performance Report and Certification for Section 1603.

**DATES:** Written comments must be received on or before March 26, 2013 to be assured of consideration.

**ADDRESSES:** Direct all written comments to the Department of the Treasury, Departmental Offices, OFAS, ATTN: Jean Whaley, 1500 Pennsylvania Avenue NW., Rm. 1050-S, Washington, DC 20220, (202) 622-0637; [www.1603questions@treasury.gov](mailto:www.1603questions@treasury.gov).

### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the form(s) and instructions should be directed to the Department of the Treasury, Departmental Offices, OFAS, ATTN: Jean Whaley, 1500 Pennsylvania Avenue NW., Rm. 1050-S, Washington, DC 20220, (202) 622-0637; [www.1603questions@treasury.gov](mailto:www.1603questions@treasury.gov).

### SUPPLEMENTARY INFORMATION:

*Title:* Annual Performance Report and Certification for Section 1603: Payments for Specified Renewable Energy Property in Lieu of Tax Credits.

*OMB Number:* 1505-0221.

*Abstract:* Authorized under the American Recovery and Reinvestment Act (ARRA), of 2009 (Pub. L. 111-5), the Department of the Treasury is implementing several provisions of the Act, more specifically Division B—Tax, Unemployment, Health, State Fiscal Relief, and Other Provisions. Among these components is a program which requires Treasury, in lieu of a tax credit, to reimburse persons who place in service certain specified energy properties. The collection of information is necessary to properly monitor compliance with program requirements. Applicants for Section 1603 payments commit in the Terms and Conditions that are part of the application to submitting an annual report for five years from the date the energy property is placed in service. The information will be used to (1) determine whether payment recipients remain eligible, (2) determine that the amount of the 1603 payment remains allowable under applicable laws, (3) assess compliance with applicable laws, and (4) report on the effectiveness of the program.

*Type of Review:* Revision of a currently approved collection.

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Number of Annual Respondents:* 150,000.

*Estimated Hours per Response:* 0.25.

*Estimated Total Annual Burden Hours:* 37,500.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the