

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**.

G&K Automotive Conversion, Inc. of Santa Ana, California (G&K)(Registered Importer 90-007) has petitioned NHTSA to decide whether nonconforming 2005 LWB Mercedes-Benz G-class (Type 463) MPVs are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are 2005 LWB Mercedes-Benz G-class (Type 463) MPVs that were manufactured for importation into and 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 2005 LWB Mercedes-Benz G-class (Type 463) MPVs to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS. G&K submitted information with its petition intended to demonstrate that non-U.S. certified 2005 LWB Mercedes-Benz G-class (Type 463) MPVs, 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 2005 LWB Mercedes-Benz G-class (Type 463) MPVs 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*; 113 *Hood Latch System*; 116 *Motor Vehicle Brake Fluids*; 119 *New Pneumatic Tires*; 124 *Accelerator Control Systems*; 201 *Occupant Protection in Interior Impact*; 202 *Head Restraints*; 204 *Steering Control Rearward Displacement*; 205 *Glazing Materials*; 206 *Door Locks and Door Retention Components*; 207 *Seating Systems*; 209 *Seat Belt Assemblies*; 210 *Seat Belt Assembly Anchorages*; 212 *Windshield Mounting*; 216 *Roof Crush Resistance*; 219 *Windshield Zone Intrusion*; 225 *Child Restraint Anchorage Systems*; and 302 *Flammability of Interior Materials*.

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

Standard No. 101 *Controls and Displays*: Replacement of the instrument

cluster with a U.S.-model component and reprogramming and initializing the vehicle control system to integrate the instrument cluster and activate the required warning systems.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: Installation of U.S.- model headlamps and front and rear side marker lamps.

Standard No. 111 *Rearview Mirrors*: Replacement of the passenger-side rearview mirror with a U.S.-model component, or inscription of the required warning statement on the face of that mirror.

Standard No. 114 *Theft Protection*: Reprogramming the vehicle's control system so that the required warning is activated when the key is in the ignition and the driver's door is open.

Standard No. 118 *Power-Operated Window, Partition, and Roof Panel Systems*: Reprogramming the vehicle's control system and door modules so that the window transport mechanism is inoperative when the ignition is turned in the off position.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles Other than Passenger Cars*: Installation of a tire information placard.

Standard No. 208 *Occupant Crash Protection*: Reprogramming the interior control computer to activate the seat belt warning system.

The petitioner also stated that the vehicles are equipped with an automatic restraint system that consists of a seat belt warning lamp, driver and passenger air bags and knee bolsters, air bag crash sensors, and an air bag control unit. The vehicles are also equipped in the front and rear outboard seating positions with Type 2 lap and shoulder belts identical to those found on the vehicle's U.S. certified counterpart that are self-tensioning and released by means of a single red push button.

Standard No. 214 *Side Impact Protection*: Inspection of each vehicle to ensure it is equipped with door beams that meet the requirements of the standard.

Standard No. 301 *Fuel System Integrity*: Inspection of each vehicle and replacement of non-U.S. model components with U.S. model components to meet the requirement of the standard.

In addition, the petitioner states that a vehicle identification number (VIN) plate must be installed in the area of the left windshield post with the vehicle's original VIN identified as a substitute for a U.S. VIN 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: February 11, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0014, Notice 1]

#### Notice of Receipt of Petition for Decision That Nonconforming 1992 Porsche Carrera Passenger Cars 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 1992 Porsche Carrera passenger cars 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 1992 Porsche Carrera) and they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is March 18, 2013.

**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:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

**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**.

J.K. Technologies, LLC ("JK"), of Baltimore, Maryland (Registered Importer 90-006) has petitioned NHTSA to decide whether nonconforming 1992 Porsche Carrera passenger cars are eligible for importation into the United States. The vehicles which JK believes are substantially similar are 1992 Porsche Carrera passenger cars 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 the non-U.S. certified 1992 Porsche Carrera to its U.S.-certified counterpart, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

JK submitted information with its petition intended to demonstrate that the non-U.S. certified 1992 Porsche Carrera, as originally manufactured, conforms to many FMVSS in the same manner as its U.S. certified counterpart, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non-U.S. certified 1992 Porsche Carrera is identical to its U.S. certified counterpart 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*, 106 *Brake Hoses*, 113 *Hood Latch System*, 114 *Theft Protection*, 116 *Motor Vehicle Brake Fluids*, Standard No. 118 *Power-Operated Window, Partition, and Roof Panel Systems*, 109 *New Pneumatic Tires and certain specialty tires*, 124 *Accelerator Control Systems*, 135 *Light Vehicle Brake Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 203 *Impact Protection for the Driver from the Steering Control System*,

204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 225 *Child Restraint Anchorage Systems*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

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

Standard No. 101 *Controls Telltales, and Indicators:* Replacement of the instrument cluster with a U.S.-model component.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* Installation of the following U.S.-model components on vehicles not already so equipped: (a) Headlamps; (b) tail lamps (c) front and rear side marker lamps; and (d) a high-mounted stop lamp.

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. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars:* Installation of a tire and rim information placard.

Standard No. 208 *Occupant Crash Protection:* (a) Reprogramming the vehicle computer to activate the seat belt warning lamp in a manner that meets the standard; and (b) inspection of all vehicles and installation of the following U.S.-model components on vehicles that are not already so equipped: (1) Airbags; (2) control unit; (3) sensors; (4) seat belts; and (5) knee bolster. The petitioner states that the vehicle is equipped with an automatic restraint system that consists of dual front airbags and knee bolsters, and with combination lap and shoulder belts at the front and rear outboard seating positions that are automatic, self-tensioning, and capable of being released by means of a single red push button.

The petitioner states that each vehicle will be inspected prior to importation for compliance with the Theft Prevention Standard in 49 CFR Part 541 and that anti-theft devices will be installed on all 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 and that a certification label must be affixed

to the driver's door jamb to meet the requirements of 49 CFR Part 567.

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: February 11, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2013-0029]

#### Pipeline Safety: Public Forum State One-Call Exemptions

**AGENCY:** Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, DOT.

**ACTION:** Notice; public forum.

**SUMMARY:** The Pipeline and Hazardous Materials Safety Administration will sponsor a public forum on state one-call exemptions. The forum will be held on March 14, 2013, in West Palm Beach, Florida at the Palm Beach County Convention Center. At the forum, PHMSA will discuss the requirements of the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011 relating to exemptions in state one-call programs and actions taken to date. In addition, damage prevention stakeholders will discuss existing data relating to this topic and present perspectives during panel discussions.

**DATES:** The public forum will be held on Thursday, March 14, 2013, from 9:30 a.m. to 5:30 p.m. EST. Name badge pickup and onsite registration will be available starting at 8:30 a.m. Refer to the forum Web site for the agenda and times at: <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=85>. Please note that the public forum will be webcast live and presentations will be available on the forum Web site within 30 days following the public forum.

**ADDRESSES:** The forum is open to all. There is no cost to attend. The forum

will be held at the Palm Beach County Convention Center, 650 Okeechobee Boulevard, West Palm Beach, Florida, 33401. PHMSA is holding the forum at this location because it is the same location where the Common Ground Alliance (CGA) 811 Excavation Safety Conference & Expo will be held March 11-14, 2013, and many of the likely attendees for the PHMSA Forum will participate in the CGA Excavation Safety Conference. Attendees can make hotel arrangements for the PHMSA Forum under the CGA room block at a rate of \$199.00 per night. Further details can be found at <http://www.cgaconference.com>.

**Registration:** To help assure that adequate space is provided, all attendees are encouraged to register for the workshop at <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=85>.

**Comments:** Members of the public may also submit written comments, either before or after the workshop. Comments should reference Docket No. PHMSA-2013-0029. Comments may be submitted in the following ways:

- **E-Gov Web Site:** <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.
- **Fax:** 1-202-493-2251.
- **Mail:** Docket Management System, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590.
- **Hand Delivery:** DOT Docket Management System, Room W12-140, on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Instructions:** Identify the Docket No. at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <http://www.regulations.gov>. Note: Comments will be posted without changes or edits to <http://www.regulations.gov> including any personal information provided. Please see the Privacy Act heading in the Regulatory Analyses and Notices section of the **SUPPLEMENTARY INFORMATION** for additional information.

**Privacy Act Statement:** Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the

**Federal Register** published April 11, 2000 (65 FR 19477).

**Information on Services for Individuals with Disabilities:** For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, please contact Annmarie Robertson at 317-253-1622, or by email at [annmarie.robertson@dot.gov](mailto:annmarie.robertson@dot.gov) by March 4, 2013.

**FOR FURTHER INFORMATION CONTACT:** Annmarie Robertson, Office of Pipeline Safety, at 317-253-1622 or email at [annmarie.robertson@dot.gov](mailto:annmarie.robertson@dot.gov), regarding the subject matter of this notice.

**SUPPLEMENTARY INFORMATION:** Section 3 of the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011 (Pub. L. 112-90) requires that PHMSA address exemptions in state one-call laws in two ways: As a factor in determining eligibility for certain grants, and in a requirement to prepare a state-by-state exemption study. With respect to grant eligibility, in order to qualify for a state one-call grant under 49 U.S.C. 6106, a state may not provide any exemptions to municipalities, state agencies, or their contractors from the one-call notification system requirements of the program. This amendment takes effect 1/3/2014.

With respect to the study on the impact of exemptions on pipeline safety, Section 3(d) states:

(1) Study.—The Secretary of Transportation shall conduct a study on the impact of excavation damage on pipeline safety.

(2) Contents.—The study shall include—

(A) an analysis of the frequency and severity of different types of excavation damage incidents;

(B) an analysis of exemptions to the one-call notification system requirements in each State;

(C) a comparison of exemptions to the one-call notification system requirements in each State to the types of excavation damage incidents in that State; and

(D) an analysis of the potential safety benefits and adverse consequences of eliminating all exemptions for mechanized excavation from State one-call notification systems.

(3) Report.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.