

highlight this information for its consumers at the point of sale.

After considering all of the relevant information, we have decided to grant Lotus a temporary exemption of the front passenger position in its Evora model from the higher maximum speed (56 km/h (35 mph)) belted test requirement using 5th percentile adult female dummies in S14.7 of FMVSS No. 208 for a period of one year after publication of this notice in the **Federal Register**. Furthermore, the total number of vehicles that may be produced under this exemption is limited to 450, which is approximately 10% higher than the highest number of vehicles produced for the U.S. market by Lotus in the last three years and approximately half of the number of vehicles Lotus intended to manufacture with a 28-month exemption.

We note that, as explained below, prospective purchasers will be notified that the vehicle is exempted from S14.7 of FMVSS No. 208. Under § 555.9(b), a manufacturer of an exempted passenger car must securely affix to the windshield or side window of each exempted vehicle a label containing a statement that the vehicle conforms to all applicable FMVSSs in effect on the date of manufacture “except for Standard Nos. [listing the standards by number and title for which an exemption has been granted] exempted pursuant to NHTSA Exemption No. _____.” This label notifies prospective purchasers about the exemption and its subject. Under § 555.9(c), this information must also be included on the vehicle’s certification label.

The text of § 555.9 does not expressly indicate how the required statement on the two labels should read in situations in which an exemption covers part, but not all, of a FMVSS. In this case, we believe that a statement that the vehicle has been exempted from Standard No. 208 generally, without an indication that the exemption is limited to the specified advanced air bag provisions, could be misleading. A consumer might incorrectly believe that the vehicle has been exempted from all of FMVSS No. 208’s requirements. Although we have said in the past that the addition of a reference to individual provisions would be of limited use to consumers in the case of advanced air bag exemptions, in the case of Lotus, which seeks exemption from only a single provision, we will allow Lotus to list the exempted paragraph on the label. For this reason, we believe the two labels should read in relevant part, “except for S14.7 of Standard No. 208, Occupant

Crash Protection, exempted pursuant to * * *.”

In accordance with 49 U.S.C. 30113(b)(3)(B)(i), Lotus is granted NHTSA Temporary Exemption No. EX 13–01, from S14.7 of 49 CFR 571.208 for the front passenger seat of its Evora model. The exemption is for no more than 450 vehicles and it shall remain effective until one year following publication of notice of this decision in the **Federal Register**, as indicated in the **DATES** section of this document.

Authority: 49 U.S.C. 30113; delegation of authority at 49 CFR 1.95.

Issued on: February 27, 2013.

David L. Strickland,
Administrator.

[FR Doc. 2013–05477 Filed 3–7–13; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35717]

Indiana Southern Railroad, LLC— Temporary Trackage Rights Exemption—Norfolk Southern Railway Company

Norfolk Southern Railway Company (NSR), pursuant to a written trackage rights agreement (Agreement), has agreed to grant temporary overhead trackage rights to Indiana Southern Railroad, LLC (ISRR) over NSR’s line of railroad between Oakland City Junction, Ind., (milepost 0.8 EJ) and Enosville, Ind., (milepost 4.8 EJ), a distance of approximately 4.0 miles.¹

The transaction may be consummated on or after March 22, 2013, the effective date of the exemption (30 days after the verified notice of exemption was filed). The temporary trackage rights are scheduled to expire on or about December 31, 2013. The purpose of the temporary trackage rights is to allow ISRR to bridge loaded and empty coal trains between a customer at Enosville and ISRR’s tracks at Oakland City Junction, for further movement over ISRR’s line to Petersburg, Ind.

As a condition to this exemption, any employees affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354

¹ A redacted version of the Agreement between NSR and ISRR was filed with the notice of exemption. ISRR simultaneously filed a motion for protective order to protect the confidential and commercially sensitive information contained in the unredacted version of the Agreement, which ISRR submitted under seal in this proceeding. That motion will be addressed in a separate decision.

I.C.C. 605 (1978), as modified in *Mendocino Coast Railway, Inc.—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980), and any employees affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line Railroad & The Union Pacific Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than March 15, 2013 (at least 7 days before the exemption becomes effective). An original and 10 copies of all pleadings, referring to Docket No. FD 35717, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Eric M. Hockey, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: March 5, 2013.

By the Board, Rachel D. Campbell,
Director, Office of Proceedings.

Raina S. White,
Clearance Clerk.

[FR Doc. 2013–05446 Filed 3–7–13; 8:45 am]

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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

March 5, 2013.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before April 8, 2013 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for