

be required to submit to random audits and to provide accredited audit reports to MarAd on a scheduled basis.

—Need for and Use of the Information:

The information collected will be used to analyze the applicant's methods and process of instruction in providing information that is comprehensive in scope and consistent with the USCG Model Course. Information arising under training provider audits will be used to ensure that certified training providers remain qualified throughout the certification period. The training provider agreement is necessary to establish an understanding between the agency and the training provider that certain terms must be met in order to hold and maintain MarAd training provider certification. Without this information, MarAd would not be able to offer the benefit of its training provider certification to program applicants. In addition, MarAd training provider certification will assist the USCG in ensuring cruise vessel CVSSA compliance.

—Description of Respondents:

Individuals, partnerships, or corporations seeking training provider certification.

—Annual Responses: Once the Program is implemented, the agency anticipates between 25–35 submissions each year. Certification is anticipated to span a period of 5 years before expiration and renewal. However, the agency does anticipate the collection of information annually from the same estimated number of training providers seeking to maintain their certification by complying with agency audits.

—Annual Burden: 40 hours per program participant.

(Authority: The Cruise Vessel Security and Safety Act of 2010, 46 U.S.C. § 3508)

\* \* \* \* \*

Dated: May 17, 2013

By Order of the Maritime Administrator.

**Julie Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013–12300 Filed 5–22–13; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD–2013–0057]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel LITTLE DUTCH; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before June 24, 2013.

**ADDRESSES:** Comments should refer to docket number MARAD–2013–0057. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email [Linda.Williams@dot.gov](mailto:Linda.Williams@dot.gov).

**SUPPLEMENTARY INFORMATION:**

As described by the applicant the intended service of the vessel LITTLE DUTCH is: *Intended Commercial Use of Vessel:* “Carrying up to six passengers for day trips, sunset sails, weekend or full week sails on a seasonal basis”.

*Geographic Region:* “New York, New Jersey, Connecticut, Rhode Island and Massachusetts”.

The complete application is given in DOT docket MARAD–2013–0057 at

<http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

#### 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 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: May 16, 2013.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013–12187 Filed 5–22–13; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0032; Notice 1]

#### Notice of Receipt of Petition for Decision that Nonconforming 2005–2007 Alpina B5 Passenger Cars Manufactured Before September 1, 2006 Are Eligible for Importation

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

**ACTION:** Receipt of petition.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that nonconforming 2005–2007 Alpina B5 passenger cars manufactured before September 1, 2006 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 have safety features that comply with, or are capable of being altered to comply with, all such standards.

**DATES:** The closing date for comments on the petition is June 24, 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)(B), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS, and has no substantially similar U.S.-certified counterpart, shall be refused admission into the United States unless NHTSA has decided that the motor vehicle has safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

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. of Baltimore, Maryland ("J.K.") (Registered Importer 90-006) has petitioned NHTSA to decide whether nonconforming 2005-2007 Alpina B5 Series passenger cars manufactured before September 1, 2006 are eligible for importation into the United States. J.K. believes these vehicles are capable of being modified to meet all applicable FMVSS.

In the past, NHTSA has granted import eligibility to a number of Alpina vehicles that were derived from BMW vehicles. These include the 1988-1994 Alpina B11 coupe, the 1988-1994 Alpina B12 5.0 coupe, and the 1989-1996 Alpina B12 coupe (assigned vehicle eligibility numbers VCP-48, VCP-41, and VCP-43, respectively). These eligibility decisions were based on petitions submitted by other Registered Importers (RI's) who claimed that the vehicles were capable of being altered to comply with all applicable FMVSS.

Because those vehicles were not manufactured for importation into and sale in the United States, and were not certified by their original manufacturer

(Alpina), as conforming to all applicable FMVSS, they cannot be categorized as "substantially similar" to the vehicle that is the subject of the petition at issue for the purpose of establishing import eligibility for that vehicle under 49 U.S.C. 30141(a)(1)(A). Therefore, the agency will consider J.K.'s petition as a petition pursuant to 49 U.S.C. 30141(a)(1)(B).

J.K. submitted information with its petition intended to demonstrate that non-U.S. certified 2005-2007 Alpina B5 passenger cars manufactured before September 1, 2006, as originally manufactured, conform to many FMVSS. Specifically, the petitioner claims that non-U.S. certified 2005-2007 Alpina B5 passenger cars manufactured before September 1, 2006, as originally manufactured, conform to: 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*, 109 *New Pneumatic Tires*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, 124 *Accelerator Control Systems*, 135 *Light Vehicle Brake 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*, 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*, and 302 *Flammability of Interior Materials*.

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

Standard No. 101 *Controls and Displays:* Replacement of the instrument cluster with components from the U.S.-model BMW 5-series and reprogramming the vehicle computer to operate the necessary safety systems.

Standard No. 108 *Lamps, Reflective Devices, and Associated Equipment:* Replacement of the headlamps and tail lamps (which include side marker lights), from the U.S.-model BMW 5-series, and installation of the high-mounted stop light assembly from the U.S.-model BMW 5-series if not already so equipped.

Standard No. 110 *Tire Selection and Rims for Motor Vehicles With a GVWR of 4,536 kilograms (10,000 pounds) or Less:* installation of a tire information placard.

Standard No. 111 *Rearview Mirrors*: Replacement of the passenger side rearview mirror with a component from the U.S.-model BMW 5-series or inscription of the required warning statement on the face of that mirror.

Standard No. 114 *Theft Protection and Rollaway Prevention*: Reprogramming the vehicle computer to activate the required safety systems.

Standard No. 118 *Power-Operated Window, Partition, and Roof Panel Systems*: Reprogramming the vehicle computer to prevent the operation of these systems when the ignition is turned off.

Standard No. 208 *Occupant Crash Protection*: Reprogramming the vehicle computer to activate the audible warning system and installation of vehicle airbags, sensors, front passenger and rear seat belts, child seat support mount, rear window shelf, and instrument panel support tube from the U.S.-model BMW 5-series.

Standard No. 209 *Seat Belt Assemblies*: Replacement of front passenger and rear seatbelts with components from the U.S.-model BMW 5-series.

Standard No. 225 *Child Restraint Anchorage Systems*: Installation of child seat support mounts from the U.S.-model BMW 5-series.

Standard No. 301 *Fuel System Integrity*: Installation of an evaporative system with a rollover and check valve from the U.S.-model BMW 5-series.

Standard No. 401 *Interior Trunk Release*: Installation of U.S.-model BMW 5-series interior trunk release components.

The petitioner states that the bumper carriers, bumper shocks, deformation elements, and support structures will be replaced with U.S.-model 5-series components to meet the requirements of the Bumper Standard of 49 CFR part 581.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield post to meet the requirements of 49 CFR Part 565.

As previously stated, the petitioner claims that the vehicle, is capable of being modified to comply with all requirements of FMVSS No. 208 *Occupant Crash Protection*. NHTSA seeks specific comments on whether the vehicle, which is manufactured for sale in the European Market, is in fact capable of being modified to comply with all requirements of FMVSS No. 208, including the unbelted occupant protection requirements of this standard.

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: May 17, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2013-12356 Filed 5-22-13; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2011-0083; Notice 2]

#### Michelin North America, Incorporated, Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of Petition.

**SUMMARY:** Michelin North America, Inc. (MNA), has determined that certain Michelin brand passenger car replacement tires, do not fully comply with paragraph S5.5<sup>1</sup> of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New pneumatic radial tires for light vehicles*. MNA has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports* on June 2, 2011.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR Part 556, MNA 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. Notice of receipt of the petition was published, with a 30-day public comment period, on April 4, 2012 in the **Federal Register** (77 FR 20483). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site

<sup>1</sup> In its petition MNA states its belief that the subject tires do not meet the load marking requirements of 49 CFR Part 571.139 S5.5(d). However, the actual noncompliance is due to an error in the tire size designation marking required by 49 CFR 571.139 S5.5(b) which causes the load marking to appear to be incorrect.

at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2011-0083."

For further information on this decision contact Mr. Jack Chern, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-0661, facsimile (202) 493-0073.

**Tires Involved:** Affected are approximately 17,500 Michelin Primacy MXV4 TL passenger car replacement tires labeled as sizes P205 65 R15 94H, P205 65 R15 94V, and P225 55 R17 97H that were manufactured by SC Michelin Romania SA in Victoria, Romania between January 9, 2011 and May 28, 2011.

**Summary of MNA's Analysis And Arguments:** MNA explained that the noncompliance is a tire sidewall labeling error. A prefix letter "P" was inadvertently added to the tire size designation required by paragraph S5.5 (b) by FMVSS No. 139.

The tire was designed to comply with the European Tyre and Rim Technical Organization (ETRTO) standard for maximum load and inflation pressure. The Max Load and Max Pressure markings on the tire are correct and the tire passes all certification requirements at the marked loads/pressures under 49 CFR 571.139. The mix of ETRTO loads with the "P"-metric size designation causes the tire to be noncompliant with both the ETRTO standard and the Tire and Rim Association (T&RA) standard, thus becoming noncompliant with the labeling requirements of 49 CFR 571.139 S5.5. All other markings are compliant with the FMVSS requirements.

MNA stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. Both the 205/65 R15 and the 225/55 R17 radial tire were originally conceived as a Euro-metric radial tire. Both tires when certifying to DOT requirements were tested in accordance with safety standard FMVSS No. 139 as well as the ETRTO standard for dimensions, pressure, load, and performance. The subject tires meet or exceed all of the minimum performance requirements for FMVSS No. 139 at the load and pressure marked on the respective sidewall.

2. The P-metric version of the tire dimensions specify a maximum load and pressure that is less than the maximum load and associated pressure of the Euro-metric dimension. Performance capabilities as P-metric dimensions exceed all P-metric requirements.