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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).

Dated: June 20, 2013.

By Order of the Maritime Administrator.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013–15462 Filed 6–27–13; 8:45 am]

**BILLING CODE 4910–81–P**

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

[Docket No. MARAD–2013 0079]

**Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SEA BREEZE 27; 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 July 29, 2013.

**ADDRESSES:** Comments should refer to docket number MARAD–2013–0079. 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 SEA BREEZE 27 is:

*Intended Commercial Use of Vessel:* “Charter fishing 6 people or less”.

*Geographic Region:* “Ohio”.

The complete application is given in DOT docket MARAD–2013–0079 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.

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By Order of the Maritime Administrator.

Dated: June 20, 2013.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013–15457 Filed 6–27–13; 8:45 am]

**BILLING CODE 4910–81–P**

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA–2012–0086]

**Group Lotus plc; Modification of a Temporary Exemption From an Advanced Air Bag Requirement of FMVSS No. 208**

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

**ACTION:** Notice of modification of a temporary exemption from a provision of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*.

**SUMMARY:** This notice modifies the temporary exemption granted to Group Lotus plc (Lotus) on March 8, 2013. The agency granted Lotus an exemption from the higher maximum speed (56 km/h (35 mph)) belted test requirement using 5th percentile adult female dummies for the front passenger position of its Evora model for the period from March 8, 2013 to March 8, 2014. The agency is modifying the dates of the exemption to account for vehicles Lotus manufactured before the exemption went into effect.

**DATES:** NHTSA Temporary Exemption No. EX–13–01 granted to Lotus is modified to include vehicles imported on or after November 7, 2012. The termination date of the exemption is modified to be November 7, 2013.

**FOR FURTHER INFORMATION CONTACT:** David Jasinski, Office of the Chief Counsel, NCC–112, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., West Building 4th Floor, Room W41–326, Washington, DC 20590. Telephone: (202) 366–2992; Fax: (202) 366–3820.

**SUPPLEMENTARY INFORMATION:** On March 8, 2013, NHTSA published in the **Federal Register** a notice granting Group Lotus Plc (Lotus) a temporary exemption from the higher maximum speed (56 km/h (35 mph)) belted test requirement using 5th percentile adult female dummies in Federal Motor Vehicle Safety Standard (FMVSS) No. 208 for the front passenger position of its Evora model for the period from March 8, 2013 to March 8, 2014.<sup>1</sup> This requirement became effective for small manufacturers such as Lotus as of September 1, 2012.

After publication of Lotus's exemption, Lotus informed the agency of the existence of 51 vehicles that were

<sup>1</sup> 78 FR 15114.

manufactured on or after September 1, 2012 and before March 8, 2013 that were imported into the United States. Lotus asserted that these vehicles were partially manufactured prior to September 1, 2012, but were not completed until after that date. These 51 vehicles bear certification labels stating a date of manufacture of August 2012 and are certified to comply with the standards, including FMVSS No. 208, applicable as of August 2012.

For the purpose of FMVSS No. 208 compliance, these vehicles are identical to those manufactured prior to September 1, 2012 and after March 8, 2013. However, the vehicles are not certified to be compliant with the standards in effect as of the date they were actually manufactured, which include the higher speed belted test requirement using the 5th percentile adult female dummy. Moreover, the exemption that NHTSA granted to Lotus would not apply to these vehicles because they were manufactured before March 8, 2013.

Lotus has agreed to pay a civil penalty for alleged violations of 49 USC 30112(a).<sup>2</sup> Additionally, the Administrator has the authority to terminate or modify a temporary exemption granted under 49 CFR Part 555 upon a finding that (1) the temporary exemption is no longer consistent with the public interests and the objectives of the National Traffic and Motor Vehicle Safety Act; or (2) the temporary exemption was granted on the basis of false, fraudulent, or misleading representations or information. At the time the agency granted Lotus its exemption, the agency believed that Lotus ceased production of the Evora for the United States market as of September 1, 2012 and was not aware that Lotus continued to manufacture the Evora after September 1, 2012. On the basis of this incorrect information, NHTSA granted Lotus a one-year exemption commencing on March 8, 2013.

Having found that Lotus's exemption was based on incorrect information, the agency has the authority to modify or terminate Lotus's temporary exemption.<sup>3</sup> Because the 51 vehicles are identical to those manufactured prior to September 1, 2012 and those that may

be manufactured under Lotus's temporary exemption, the agency has decided it is appropriate to modify Lotus's exemption to apply it retroactively to vehicles manufactured after September 1, 2012 and imported on or after November 7, 2012. This will allow the exemption to apply to 50 of the 51 vehicles manufactured after September 1, 2012.<sup>4</sup> Lotus will export one vehicle from the United States, which will not be included in the exemption.

The 50 vehicles will count toward the 450 vehicle limit under the exemption. Because these 50 vehicles are now covered by an exemption, Lotus must ensure that they are labeled with the correct date of manufacture and statements required by 49 CFR 555.9 for exempted vehicles.

The agency's determination that a one-year exemption is appropriate under the circumstances has not changed. Thus, in addition to applying the exemption retroactively to 50 vehicles, the agency has also modified the termination date of the exemption so that the exemption granted is not longer than one year. The exemption will now apply to vehicles manufactured through November 7, 2013.

Based on the foregoing and pursuant to 49 CFR 555.8(d), the Administrator finds that NHTSA Temporary Exemption No. EX 13-01, granted to Lotus from S14.7 of 49 CFR 571.208 for the front passenger seat of its Evora model was based on incorrect information. Accordingly, the exemption is modified to include vehicles imported on or after November 7, 2012. The exemption is also modified to terminate on November 7, 2013.

**Authority:** 49 U.S.C. 30113; 49 CFR 1.95, 555.8.

Issued in Washington, DC, on June 21, 2013 under authority delegated in 49 CFR 1.95, 501.5, and 501.7.

**David L. Strickland,**  
*Administrator.*

[FR Doc. 2013-15534 Filed 6-27-13; 8:45 am]

**BILLING CODE 4910-59-P**

<sup>4</sup> It is not unprecedented that for NHTSA to apply a temporary exemption to vehicles that have already been manufactured at the time of the grant of an exemption. In a March 1995 grant of an application for a temporary exemption from the air bag requirements FMVSS No. 208 to Excalibur Automobile Corporation, the agency applied a temporary exemption to 36 vehicles that were, at the time of the request for exemption, in control of the company's dealers. See 60 FR 12281 (Mar. 6, 1995).

## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### Prompt Payment Interest Rate; Contract Disputes Act

**AGENCY:** Bureau of the Fiscal Service, Treasury.

**ACTION:** Notice.

**SUMMARY:** For the period beginning July 1, 2013, and ending on December 31, 2013, the prompt payment interest rate is 1<sup>3</sup>/<sub>4</sub> per centum per annum.

**ADDRESSES:** Comments or inquiries may be mailed to Sam Doak, Reporting Team Leader, Federal Borrowings Branch, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia, 26106-1328. A copy of this Notice is available at <http://www.treasurydirect.gov>.

**DATES:** Effective July 1, 2013, to December 31, 2013.

#### FOR FURTHER INFORMATION CONTACT:

Adam Charlton, Manager, Federal Borrowings Branch, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia 26106-1328, (304) 480-5248; Sam Doak, Reporting Team Leader, Federal Borrowings Branch, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia 26106-1328, (304) 480-5117; or Elisha S. Garvey, Attorney-Advisor, Office of the Chief Counsel, Bureau of the Fiscal Service, (202) 504-3715.

**SUPPLEMENTARY INFORMATION:** An agency that has acquired property or service from a business concern and has failed to pay for the complete delivery of property or service by the required payment date shall pay the business concern an interest penalty. 31 U.S.C. 3902(a). The Contract Disputes Act of 1978, Sec. 12, Public Law 95-563, 92 Stat. 2389, and the Prompt Payment Act, 31 U.S.C. 3902(a), provide for the calculation of interest due on claims at the rate established by the Secretary of the Treasury.

The Secretary of the Treasury has the authority to specify the rate by which the interest shall be computed for interest payments under section 12 of the Contract Disputes Act of 1978 and under the Prompt Payment Act. Under the Prompt Payment Act, if an interest penalty is owed to a business concern, the penalty shall be paid regardless of whether the business concern requested payment of such penalty. 31 U.S.C. 3902(c)(1). Agencies must pay the interest penalty calculated with the interest rate, which is in effect at the

<sup>2</sup> Among other things, 49 USC 30112(a) prohibits a person from selling, offering for sale, introducing or delivering into interstate commerce, or importing into the United States any motor vehicle that does not comply with the FMVSSs then in effect.

<sup>3</sup> Lotus has acknowledged that it has been duly notified by NHTSA of any facts that warrant modifying or terminating its exemption and that it has had an opportunity to demonstrate or achieve compliance with all lawful requirements.