

TPMS is 55.6-percent effective at preventing severe underinflation as defined in FMVSS No. 138. However, effectiveness was substantially lower in vehicles that were 6–7 years old at the time of the survey. One explanation as to why this is true was the possibility that the drivers of these older vehicles were not taking all the maintenance actions (e.g., adding TPMS sensors to new vehicle tires, replacing non-functioning sensors on current tires, having the system properly re-set when needed) that were needed in order to insure that they had functioning TPMS. Relevant data is needed to examine why the effectiveness of TPMSs in older vehicles is reduced and what can be done to increase it.

*Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information):* This information collection will be completed via three separate surveys:

*Field Survey of Drivers and Vehicles.* A survey of convenience, conducted in eight sites (two sites in each of 4 states—Colorado, Texas, Washington, Virginia), will collect 7,000 inspections of passenger vehicles of all model years from 2004 through the latest model year, as well as interviews of drivers of these vehicles. Focus will be on assessing the operating status of the TPMS in these vehicles and interviewing driver with and without operating TPMSs, regarding their knowledge about and habits related to the TPMS in their vehicle. Data collection is expected to take place over a six month period in the spring and summer of 2015, mainly at gas stations.

*Suppliers Survey.* Major suppliers of TPMS sensors and systems will be interviewed. Focus will be on TPMS repair and maintenance issues, as well as cost factors. Data collection is expected to take place early 2015 via a combination of telephone interviews, email, mail, and fax.

*Repair Facilities Survey.* A sample of 500 repair/maintenance facilities (e.g., automobile dealerships, tire chain stores, small service stations with attached repair shops) will be selected for a Computer-Assisted Telephone Interview (CATI), with the option of responding by mail, based upon the respondent's preference. Focus will be on assessing the lifespan of TPMS, common sources of TPMS malfunction, typical costs to repair/replace malfunctioning systems, and the factors considered by customers when deciding whether to repair or replace TPMSs that are not working. Data collection is expected to take place early 2015 mostly via telephone interviews.

*Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting From the Collection of Information:* The total annual reporting and recordkeeping burden resulting from this collection of information is estimated to be 1,565 hours, as outlined below.

*Field Survey of Drivers and Vehicles.* NHTSA estimates that the average time to collect vehicle and driver data will be slightly over 10 minutes for each interview for the 7,000 survey respondents. Some additional time will be needed to conduct a pilot study and to describe the study to drivers who do not end up participating in the study. Consequently, the total respondent burden hours is estimated to be 1,365 hours. The respondents would not incur any reporting or record keeping costs from the information collection. For the drivers survey, respondents will be asked questions regarding their TPMSs, and all responses will be provided spontaneously. For the vehicle inspection, data will be obtained via observation.

*Suppliers Survey.* NHTSA estimates that the average time to collect data on the cost of TPMS parts and systems will be slightly over 20 minutes for each interview for the 45 respondents. Consequently, the total respondent burden hours is estimated to be 17 hours. The respondents would not incur any reporting or record keeping costs from the information collection. Information is only requested about records that the respondents already are keeping for their own purposes.

*Repair Facilities Survey.* NHTSA estimates that the average time to collect data on the types and costs of repairing TPMS will be slightly over 20 minutes for each interview for the 500 respondents. Consequently, the total respondent burden hours is estimated to be 183 hours. The respondents would not incur any reporting or record keeping costs from the information collection. Information is only requested about records that the respondents already are keeping for their own purposes.

**Authority:** The Paperwork Reduction Act, 44 U.S.C. chap. 35, as amended; and 49 CFR 1.95.

**Terry T. Shelton,**

*Associate Administrator, National Center for Statistics and Analysis.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2014–0055; Notice 1]

#### Harley-Davidson Motor Company, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Receipt of Petition.

**SUMMARY:** Harley-Davidson Motor Company, Inc. (Harley-Davidson) has determined that certain model year (MY) 2009–2014 Harley-Davidson FL Touring family motorcycles do not fully comply with paragraph S6.1.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, reflective devices, and associated equipment*. Harley-Davidson has filed an appropriate report dated April 7, 2014, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

**DATES:** The closing date for comments on the petition is August 6, 2014.

**ADDRESSES:** 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:

- *Mail:* Send comments 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.

- *Hand Deliver:* Deliver comments by hand 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.

- *Electronically:* Submit comments 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 (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.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Harley-Davidson's Petition**

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Harley-Davidson submitted a petition 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 Harley-Davidson'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.

##### **II. Vehicles Involved**

Affected are approximately 343,680 MY 2009–2014 Harley-Davidson FL Touring family motorcycles manufactured between June 10, 2008 and March 25, 2014.

##### **III. Noncompliance**

Harley-Davidson explains that the noncompliance is that the location of the rear reflex reflectors on the subject vehicles are mounted between an average of 0.3" and 0.7" below the required 15" height-above-road surface as required by paragraph S6.1.3 of FMVSS No. 108.

##### **IV. Rule Text**

Paragraph S6.1.3.1 of FMVSS No. 108 requires in pertinent part:

S6.1.3.1 Each lamp, reflective device, and item of associated equipment must be

securely mounted on a rigid part of the vehicle, other than glazing, that is not designed to be removed except for repair, within the mounting location and height limits as specified in Table I, and in a location where it complies with all applicable photometric requirements, effective projected luminous lens area requirements, and visibility requirements with all obstructions considered.

##### **V. Summary of Harley-Davidson's Analyses**

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

- Harley-Davidson had a third-party conduct testing on the subject motorcycles and reflex reflectors and they exhibited no reduction in conspicuity as compared to compliant vehicles. The independent company tested five test heights, for a test range of 11"–15" height above-road surface, and all five tests far exceeded the minimum required values at each of the 10 test points specified in Table XVI. Due to the substantial safety margin designed into these reflex reflectors, photometry remained well above the minimums even when mounted a full 4" inches below the minimum mounting height.

- Harley-Davidson believes that the lower mounting height of these reflectors may actually increase conspicuity and motor vehicle safety compared to fully compliant (higher mounted) reflectors.

- Harley-Davidson notes that the United Nations ECE regulations specify a minimum mounting height of 9.84" (240mm). And further notes that in one study of daytime side vehicle conspicuity of motorcycles, NHTSA's researchers concluded that the mounting height of the side reflex reflectors (12 inches vs 15 inches) was an "insignificant" factor for vehicle identification distance.

- Harley-Davidson further states that under FMVSS No. 108, tail lamps and license plate lamps on motorcycles are required to be illuminated whenever the headlamp is activated. And that since all Harley-Davidson models are equipped with automatic headlights on (AHO) functionality, the headlamps and tail lamps are automatically illuminated when the ignition is in the on position, thus providing conspicuity during daylight and darkness while the motorcycle is operating.

Harley-Davidson also made reference to a withdrawal of rulemaking regarding a lower height for reflex reflectors.

Harley-Davidson has additionally informed NHTSA that it has corrected

the noncompliance so that all future production motorcycles will comply with FMVSS No. 108.

In summation, Harley-Davidson believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt Harley-Davidson 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.

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, any decision on this petition only applies to the subject motorcycles that Harley-Davidson no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Harley-Davidson notified them that the subject noncompliance existed.

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

**Jeffrey M. Giuseppe,**

*Acting Director, Office of Vehicle Safety Compliance.*

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#### **U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION**

##### **Notice of Open Meetings to Prepare the 2014 Annual Report to Congress; Advisory Committee: U.S.-China Economic and Security Review Commission**

**ACTION:** Notice of open meetings to be held in Washington, DC as follows: (1) Review and edit drafts of 2014 Annual Report to Congress—July 14–15, August 18–19, September 22–23, and October 06–07, 2014.

**SUMMARY:** Notice is hereby given of meetings of the U.S.-China Economic and Security Review Commission.