

required by 49 U.S.C. 30120 should be granted.

VI. *NHTSA's Decision*: NHTSA has reviewed GM's analyses that the subject noncompliance is inconsequential to motor vehicle safety. GM has identified an intermittent condition during which the automatic transmission positions on the console-mounted transmission control will not be illuminated at key startup. FMVSS No. 102, paragraph S3.1.4.1 requires the indicator to display identification of an automatic transmission's positions, including the position selected and the positions in relation to each other in view of the driver. FMVSS No. 101, paragraph S5.3.1(b) and Table 1 require the automatic transmission control position indicator to be illuminated whenever the headlamps are activated. GM stated that the failure of illumination is very rare, has occurred only at startup (not during driving), and has never been found to repeat on consecutive ignition cycles. However, when it does occur, the transmission position indicator on the console will not be illuminated throughout that operating period. The indicator identifies P,R,N,D or M (M1–M6) and, except when the noncompliance occurs at key startup, is illuminated as required.

FMVSS No. 102 paragraph S3.1.4 permits a redundant display providing some or all of the required information. GM identified two instrument clusters used in the affected vehicles that provide different amounts of redundant information. The transmission position selected is always displayed on both clusters. In addition, for vehicles other than the base model (approximately 15 percent of the affected vehicles), the cluster display includes the position selected and the positions in relation to each other for three seconds whenever the transmission is shifted.

The redundant display on the cluster identifies the transmission position selected for all affected vehicles. It is likely that drivers will become accustomed to looking at the instrument cluster rather than looking down at the console to confirm the desired transmission position, *i.e.*, "D," has been selected. So the lack of illumination on the console at startup may go unnoticed. In a panic situation, an inexperienced driver may not be familiar with the other positions, *i.e.*, how to shift from "D" to "N" to recover control of the vehicle if an unintended acceleration occurs. Since the cluster of 85 percent of the vehicles displays this information for 3 seconds after every shift, this frequent reminder is considered sufficient to alert the driver about the relationship to the other

transmission positions. The 15 percent (base models) are not so equipped and present an unreasonable risk to safety.

In consideration of the foregoing, NHTSA has decided that for all except the base model vehicles, GM has met its burden of persuasion that the subject FMVSS No. 102 noncompliance is inconsequential to motor vehicle safety. Accordingly, GM's petition is hereby partially granted and GM is exempted from the obligation of providing notification of, and a remedy for the subject noncompliance for the non-base model Malibu vehicles (approximately 85 percent of the affected vehicles) under 49 U.S.C. 30118 and 30120.

For the base model Malibu vehicles (approximately 15 percent of the affected vehicles), NHTSA has decided that GM has not met its burden of persuasion that the FMVSS No. 102 noncompliance is inconsequential to motor vehicle safety. Accordingly, for those vehicle's GM's petition is hereby denied and GM is obligated to provide notification of, and a remedy for, the subject noncompliance under 49 U.S.C. 30118 and 30120.

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, this decision only applies to the 23,910 model year 2013 Chevrolet Malibu passenger cars that GM no longer controlled at the time it determined that the noncompliance existed. However, the granting of 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 GM 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)

**Nancy Lummen Lewis,**

*Associate Administrator for Enforcement.*

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**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Notice and Request for Comments

**AGENCY:** Surface Transportation Board.

**ACTION:** 60-day notice of request for extension: Notifications of Trails Act Agreement and Substitute Sponsorship.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3519 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek from the Office of Management and Budget (OMB) an extension of approval for the collection: Notifications of Trails Act Agreement and Substitute Sponsorship.

Under 16 U.S.C. 1247(d) and its regulations, the STB will issue a Certificate of Interim Trail Use (CITU) or Notice of Interim Trail Use (NITU) to a prospective trail sponsor who offers to assume managerial, tax, and legal responsibility for a right-of-way that a rail carrier would otherwise abandon. The CITU/NITU permits parties, for 180 days, to negotiate for a railbanking agreement. If parties reach an agreement, the CITU/NITU automatically authorizes railbanking/interim trail use. If no agreement is reached, then upon expiration of the negotiation period, the CITU/NITU authorizes the railroad to exercise its option to fully abandon the line without further action by the Board.

Pursuant to 49 CFR 1152.29, parties must jointly notify the Board when a trail use agreement has been reached, and must identify the exact location of the right-of-way subject to the agreement, including a map and milepost marker information. The rules also require parties to file a petition to modify or vacate the CITU/NITU if the trail use agreement applies to less of the right-of-way than covered by the CITU/NITU. Finally, the rules require that a substitute trail sponsor must acknowledge that interim trail use is subject to restoration and reactivation at any time.

Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

**Description of Collection**

*Title:* Notifications of Trails Act Agreement and Substitute Sponsorship

*OMB Control Number:* 2140-0017.

*STB Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Parties to an interim trail use agreement; substitute trail sponsors.

*Number of Respondents:* 40.

*Estimated Time per Response:* 1 hour.

*Frequency:* On occasion.

*Total Burden Hours* (annually including all respondents): 40 hours.

*Total "Non-hour Burden" Cost:* None identified. Filings are submitted electronically to the Board.

*Needs and Uses:* The submissions ensure that the affected public and the agency will have notice whenever a trails use agreement is reached or modified. They also ensure that any trail sponsor, including any substitute trail sponsor, acknowledges that interim trail use is subject to restoration and reactivation at any time.

*Retention Period:* Information in this report will be maintained in the Board's files for 10 years, after which it is transferred to the National Archives.

**DATES:** Comments on this information collection should be submitted by May 1, 2015.

**ADDRESSES:** Direct all comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001, or to *PRA@stb.dot.gov*. When submitting comments, please refer to "Notifications of Trails Act Agreement and Substitute Sponsorship." For further information regarding this collection, contact *PRA@stb.dot.gov*. [Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877-8339.] Filings made in responses to this collection are available on the Board's Web site at *www.stb.dot.gov*.

**SUPPLEMENTARY INFORMATION:** Under the PRA, a federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements or requests that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under § 3506(c)(2)(A) of the PRA,

federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: February 25, 2015.

**Jeffrey Herzig,**

*Clearance Clerk.*

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**DEPARTMENT OF THE TREASURY****Bureau of the Fiscal Service**

**Agency Information Collection Activities; Proposals, Submissions, and Approvals; Proposed Collection of Information: Application by Voluntary Guardian of Incapacitated Owner of United States Savings Bonds or Savings Notes**

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a proposed and/or continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the "Application by Voluntary Guardian of Incapacitated Owner of United States Savings Bonds or Savings Notes".

**DATES:** Written comments should be received on or before May 1, 2015 to be assured of consideration.

**ADDRESSES:** Direct all written comments and requests for further information to Bureau of the Fiscal Service, Bruce A. Sharp, 200 Third Street A4-A, Parkersburg, WV 26106-1328, or *bruce.sharp@fiscal.treasury.gov*.

**SUPPLEMENTARY INFORMATION:**

*Title:* Application by Voluntary Guardian of Incapacitated Owner of United States Savings Bonds or Savings Notes.

*OMB Number:* 1530-0031 (Previously approved as 1535-0036 as a collection conducted by Department of the Treasury/Bureau of the Public Debt.)

*Transfer of OMB Control Number:* The Bureau of Public Debt (BPD) and the Financial Management Service (FMS) have consolidated to become the Bureau of the Fiscal Service (Fiscal Service). Information collection requests previously held separately by BPD and FMS will now be identified by a 1530 prefix, designating Fiscal Service.

*Form Number:* PD F 2513.

*Abstract:* The information is requested to establish the right of a voluntary guardian to conduct transactions on behalf of a mentally incapacitated bond or note owner.

*Current Actions:* Extension of a currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Individuals or Households.

*Estimated Number of Respondents:* 7,650.

*Estimated Time per Respondent:* 20 minutes.

*Estimated Total Annual Burden Hours:* 2,600.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: February 23, 2015.

**Bruce A. Sharp,**

*Bureau Clearance Officer.*

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