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William D. Jackson,

Deputy Assistant U.S. Trade Representative for the Generalized System of Preferences, Office of the U.S. Trade Representative.

[FR Doc. 2015-21067 Filed 8-24-15; 8:45 am]

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**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

**Determination Under the Caribbean
Basin Trade Partnership Act**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The United States Trade Representative has determined that Curaçao meets certain customs criteria of the Caribbean Basin Trade Partnership Act and, therefore, imports of eligible products from Curaçao qualify for the enhanced trade benefits provided under the Act.

DATES: *Effective date:* August 18, 2015.

FOR FURTHER INFORMATION CONTACT:

Mary Estelle Ryckman, Senior Advisor, Office of the United States Trade Representative, (202) 395-9585.

SUPPLEMENTARY INFORMATION: The Caribbean Basin Trade Partnership Act (Title II of the Trade and Development Act of 2000, Pub. L. 106-200) (CBTPA) expands the trade benefits available to Caribbean and Central American beneficiary countries under the Caribbean Basin Economic Recovery Act (CBERA). The enhanced trade benefits provided by the CBTPA are available to imports of eligible products from countries that (1) the President designates as CBTPA beneficiary countries, and (2) meet the requirements of the CBERA relating to implementation of customs procedures and requirements similar to those in Chapter 5 of the North American Free Trade Agreement (NAFTA) that assist the U.S. Customs and Border Protection (CBP) in verifying the origin of the products.

In Proclamation 9072 of December 23, 2013, the President designated Curaçao as a CBERA and a CBTPA beneficiary country. In that proclamation, the President also delegated to the United States Trade Representative (USTR) the authority to determine whether Curaçao is meeting the customs criteria of the CBERA. The President directed the USTR to announce any such determinations in the **Federal Register** and to implement any such determinations through modifications to

the Harmonized Tariff Schedule (HTS) of the United States.

Based on information and commitments provided by Curaçao to date, I have determined that Curaçao satisfies the requirements of section 213(b)(4)(A)(ii) of the CBERA relating to the implementation of procedures and requirements similar in all material respects to those in Chapter 5 of the NAFTA. Accordingly, pursuant to the authority vested in the USTR by Proclamation 9072, the HTS is modified by (i) modifying general note 17(a) to the Harmonized Tariff Schedule of the United States by adding in alphabetical sequence “Curaçao,” and (ii) modifying U.S. note 1 to subchapter XX of chapter 98 by inserting in alphabetical sequence “Curaçao,” effective with respect to articles entered, or withdrawn from warehouse, on the date of this notice.

Michael B.G. Froman,

United States Trade Representative.

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DEPARTMENT OF TRANSPORTATION

**National Highway Traffic Safety
Administration**

Denial of Motor Vehicle Defect Petition

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

ACTION: Denial of a petition for a defect investigation.

SUMMARY: This notice sets forth the reasons for denying a petition submitted to NHTSA, 49 U.S.C. 30162, 49 CFR part 552, requesting that the agency open “an investigation into low-speed surging in different models of Toyota automobiles in which the car starts accelerating and the engine RPM increases even when the accelerator pedal is not depressed.”

FOR FURTHER INFORMATION CONTACT: Mr. Stephen McHenry, Vehicle Control Division, Office of Defects Investigation, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone 202-366-4883. Email stephen.mchenry@dot.gov.

SUPPLEMENTARY INFORMATION:

1.0 Introduction

Interested persons may petition NHTSA requesting that the agency initiate an investigation to determine whether a motor vehicle or item of replacement equipment does not comply with an applicable motor vehicle safety standard or contains a

defect that relates to motor vehicle safety. 49 U.S.C. 30162(a)(2); 49 CFR 552.1. Upon receipt of a properly filed petition, the agency conducts a technical review of the petition, material submitted with the petition, and any additional information. 49 U.S.C. 30162(c); 49 CFR 552.6. The technical review may consist solely of a review of information already in the possession of the agency, or it may include the collection of information from the motor vehicle manufacturer and/or other sources. After considering the technical review and taking into account appropriate factors, which may include, among others, allocation of agency resources, agency priorities, the likelihood of uncovering sufficient evidence to establish the existence of a defect, and the likelihood of success in any necessary enforcement litigation, the agency will grant or deny the petition. See 49 U.S.C. 30162(d); 49 CFR 552.8.

2.0 Petition Background Information

In a letter dated June 19, 2015, Dr. Gopal Raghavan (the petitioner) requested that NHTSA open “an investigation into low-speed surging in different models of Toyota automobiles in which the car starts accelerating and the engine RPM increases even when the accelerator pedal is not depressed.” Dr. Raghavan based his request on his analysis of EDR data from an accident involving his wife and from two other accidents in Toyota vehicles. NHTSA has reviewed the material cited by the petitioner. The results of this review and our evaluation of the petition are set forth in the DP15-005 Petition Analysis Report, published in its entirety as an appendix to this notice.

After a thorough assessment of the material submitted by the petitioner, the information already in NHTSA’s possession, and the potential risks to safety implicated by the petitioner’s allegations, it is unlikely that an order concerning the notification and remedy of a safety-related defect would result from any proceeding initiated by the granting of Dr. Raghavan’s petition. After full consideration of the potential for finding a safety related defect in the vehicle, and in view of NHTSA’s enforcement priorities, its previous investigations into this issue, and the need to allocate and prioritize NHTSA’s limited resources to best accomplish the agency’s mission, the petition is denied.