

with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136 (e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

#### IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2015-0341 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you

submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period and may change this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

#### V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, to submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2015-0341 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to the proposed rulemaking.

Issued on: January 6, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2016-00653 Filed 1-13-16; 8:45 am]

**BILLING CODE 4910-EX-P**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Motor Carrier Safety Administration

##### Sunshine Act Meetings; Unified Carrier Registration Plan Board of Directors

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of Unified Carrier Registration Plan Board of Directors Meeting.

**DATES:** *Time and Date:* The meeting will be held on February 2, 2016, from 9:00 a.m. to 12:00 noon Mountain Standard Time.

**PLACE:** The meetings will be open to the public at the Saguaro Scottsdale, 4000 North Drinkwater Blvd., Scottsdale, AZ 85251 and via conference call. Those not attending the meetings in person may call 1-877-422-1931, passcode 2855443940, to listen and participate in the meetings.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** The Unified Carrier Registration Plan Board of Directors (the Board) will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement and to that end, may consider matters properly before the Board.

**FOR FURTHER INFORMATION CONTACT:** Mr. Avelino Gutierrez, Chair, Unified Carrier Registration Board of Directors at (505) 827-4565.

Issued on: January 11, 2016.

**Larry W. Minor,**

*Associate Administrator, Office of Policy, Federal Motor Carrier Safety Administration.*

[FR Doc. 2016-00711 Filed 1-12-16; 11:15 am]

**BILLING CODE 4910-EX-P**

#### DEPARTMENT OF TRANSPORTATION

##### National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0036; Notice 2]

##### Graco Children's Products, Inc., Denial of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Denial of petition.

**SUMMARY:** Graco Children's Products, Inc., (Graco) has determined that certain Graco child restraints do not fully comply with paragraph S5.5.2(g)(1)(iii) of Federal Motor Vehicle Safety Standard (FMVSS) No. 213, *Child Restraint Systems*. Graco filed a report dated March 13, 2015, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Graco then 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.

**ADDRESSES:** For further information on the decision contact Zachary Fraser, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5754, facsimile (202) 366-5930.

#### SUPPLEMENTARY INFORMATION:

##### I. Overview

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Graco 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.

Notice of receipt of the Graco's petition was published, with a 30-day public comment period, on June 4, 2015 in the **Federal Register** (80 FR 31968). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management Systems (FDMS) Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2015-0036."

## II. Child Restraints Involved

Affected are approximately 31,838 Graco ComfortSport, Graco Classic Ride, and Graco Ready Ride child restraints manufactured between March 1, 2014 and February 28, 2015.

## III. Noncompliance

Graco explains that the noncompliance is due to a labeling issue. The labels on the subject child restraints do not contain the instructional statement required by paragraph S5.5.2(g)(1)(iii) of FMVSS No. 213.

## IV. Rule Text

Paragraph S5.5.2(g)(1)(iii) of FMVSS No. 213 requires, in pertinent part:

S5.5.2 The information specified in paragraphs (a) through (m) of this section shall be stated in the English language and lettered in letters and numbers that are not smaller than 10 point type. . . .

(g) The statements specified in paragraphs (1) and (2)

(1) A heading as specified in S5.5.2(k)(3)(i), with the statement "WARNING! DEATH or SERIOUS INJURY can occur," capitalized as written and followed by bulleted statements in the following order . . .

(iii) Follow all instructions on this child restraint and in the written instructions located (insert storage location on the restraint for the manufacturer's installation instruction booklet or sheet).

## V. Summary of Graco's Analyses

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

(A) Graco observed that many child seats are sold with their instruction manual placed in an appropriate long-term storage location. Graco believes that in such cases the statement required by paragraph S5.5.2(g)(1)(iii) of FMVSS No. 213 is intended to remind consumers that the child restraint was sold with instructions and to inform them where to find those instructions. Graco believes that, because the subject child restraints are sold with the instruction manual in a plastic pouch on the child restraint's harness strap, the original consumer must initially interact with the instructions in order to properly install the child seat. Therefore, Graco believes the same result intended by the subject label statement is achieved, *i.e.*, the consumer is made aware of the instructions without the statement required by S5.5.2(g)(1)(iii). Graco believes that, being thereby made aware of the instructions, the consumer can then place the instructions directly into the storage location for future access.

(B) In a case of subsequent users, Graco believes the location of a properly stored manual, near the top of the seat back, is readily visible and obvious due to the size, shape and color contrast between the instruction manual and the seat back.

(C) Graco considers the risk that a consumer does not place the instruction manual into the proper storage location to be no different from the risk where that a user does not replace the instructions into the storage location after use.

(D) Graco further notes that installation instructions are also readily available on Graco's Web site or by calling its customer hotline.

For the reasons given above, Graco believes that the described noncompliance of the subject child restraints is inconsequential to motor vehicle safety, and that its petition, to exempt Graco 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's Decision

*NHTSA's Analysis:* The label text required by S5.5.2(g)(1)(iii) of FMVSS No. 213 that Graco omitted is intended to instruct a person using the child seat to follow all instructions mounted on the child restraint as well as additional written instructions provided with the restraint. The text also describes the instruction's storage location on the restraint. The text is required to be placed under a larger label heading stating, "WARNING! DEATH or SERIOUS INJURY can occur." The importance of the statement omitted by Graco is underscored by the requirement that it be located under this warning heading on the label.

The agency does not concur with Graco's contention that the missing statement is inconsequential. Even though the subject child restraints are sold new with the owner's manual in a plastic pouch on the child restraint's harness strap, the original consumer may not necessarily know that the manual has important installation instructions and other safety information. In addition, without the label, the owner is not informed about the existence of a storage location for the instructions. NHTSA required a storage location to better ensure that the manual is stored with the child seat so that the document will be easily available for reference and will be passed on to subsequent owners of the restraint.<sup>1</sup> Thus, the same result intended by the subject label statement (making consumers aware—and reminding them through the lifetime use of the child seat—that there is a manual with important operational information that should be followed, that there is a storage location for the manual on the

child seat for storage of the manual) would not be achieved.

Graco also maintains that the risk of the original consumer not placing the instruction manual into the proper storage location to be no different from the risk where a user does not replace the instructions into the storage location after use. We do not agree with this argument. With the required statement, the consumer understands there is a place to store the instruction manual. The statement increases the likelihood that the user will store the manual with the restraint. Without the statement, the consumer is made to find the storage location on his or her own and has to surmise that the manual should be kept there.

The agency is concerned about how subsequent owners could be affected by the missing label. Child safety seats are often used secondhand. Without the label, these owners would not be informed to locate and review the instruction manual for important information. The agency is especially concerned that subsequent owners of the affected child restraints will not even be aware of the existence of an owner's instruction manual, especially if the owner's instruction manual is missing when subsequent owners obtain the child restraint.

Graco further contends that installation instructions are also readily available on Graco's Web site or by calling its customer hotline. The agency believes that omitting the statement directing the user to the instruction manual may result in the original owner forgetting there is a manual and/or subsequent owners not even being aware of the existence of an instruction manual. Thus, the owner would not know to check Graco's Web site or call its customer hotline. With the statement, consumers will be alerted that a manual exists and can contact Graco if the manual is missing.

For the above reasons, the agency disagrees with Graco that the noncompliance is inconsequential to motor vehicle safety because the subject noncompliance can negatively impact the operational safety of the child restraints.

*NHTSA's Decision:* In consideration of the foregoing, NHTSA determined that Graco has not met its burden of persuasion that the FMVSS No. 213 noncompliance is inconsequential to motor vehicle safety. Accordingly, Graco's petition is hereby denied and Graco is obligated to provide notification of, and a remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

<sup>1</sup> 44 FR 72131, 72137 (December 13, 1979).

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

**Frank S. Borris,**  
*Acting Associate Administrator for Enforcement.*

[FR Doc. 2016-00531 Filed 1-13-16; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. DOT-NHTSA-2015-0110]

#### Notice and Request for Comments

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

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** The Department of Transportation (DOT) invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

**DATES:** Written comments should be submitted by March 14, 2016.

**ADDRESSES:** You may submit comments [identified by Docket No. DOT-NHTSA-2015-0110] through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Barbara Sauers, (202) 366-0144, Director, Office of Grants Management and Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** Under the PRA, before an agency submits a proposed collection of information to OMB for approval, it must first publish

a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) How to enhance the quality, utility, and clarity of the information to be collected;

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

*OMB Control Number:* 2127-0597.

*Title:* State Observational Surveys of Seat Belt Use.

*Type of Review:* Reinstatement of an information collection.

*Abstract:* The "Uniform Criteria for State Observational Surveys of Seat Belt Use," requires States re-select observation sites for their annual seat belt survey. States would use an updated roadway segment database to assist with the site selection and then re-select sites utilizing their currently approved seat belt survey design. Section 402 of title 23, United States Code provides that the Secretary of Transportation may not approve a State highway safety program for grant funding which does not provide satisfactory assurances that the State will implement an annual statewide seat belt use survey in accordance with criteria established by the Secretary to ensure that the measurements of seat belt use are accurate and representative. The seat belt use survey rates are verified by the National Highway Traffic Safety Administration's National Center for Statistics and Analysis. The verified seat belt use rates also determine whether a State is eligible for an occupant protection grant as a high seat belt use rate State having a seat belt use

rate of at least 90 percent or as a lower seat belt use rate State having a seat belt use rate below 90 percent.

*Affected Public:* State Highway Safety Offices

*Estimated Number of Respondents:* 56

*Estimated Total Annual Burden*

*Hours:* 19,040

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended; 23 U.S.C. 402 and 405; and 49 CFR 1.94 and 1.95.

**Mary D. Gunnels,**

*Associate Administrator, Office of Regional Operations and Program Delivery.*

[FR Doc. 2016-00655 Filed 1-13-16; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Taxpayer Advocacy Panel's Special Projects Committee

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of change of meeting date.

**SUMMARY:** In the **Federal Register** notice that was originally published on December 28, 2015, (Volume 80, Number 248, Page 80878), the meeting date is now changed. The new dates for the meeting are, Thursday, March 3, 2016 and Friday, March 4, 2016.

**DATES:** The meeting will be held Thursday, March 3, 2016 and Friday, March 4, 2016.

**FOR FURTHER INFORMATION CONTACT:** Kim Vinci at 1-888-912-1227 or 916-974-5086.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel's Special Projects Committee will be held Thursday,