

received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies LLC (JK) of Baltimore, Maryland (Registered Importer R-90-006) has petitioned NHTSA to decide whether nonconforming MY 1994 and 1995 Lamborghini Diablo SE30 PCs are eligible for importation into the United States. The vehicles which JK believes are substantially similar are MY 1994 and 1995 Lamborghini Diablo SE30 PCs sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 1994 and 1995 Lamborghini Diablo SE30 PCs to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

JK submitted information with its petition intended to demonstrate that non-U.S. certified MY 1994 and 1995 Lamborghini Diablo SE30 PCs, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non U.S.-certified MY 1994 and 1995 Lamborghini Diablo SE30 PCs, as originally manufactured, conform to: Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic and Electric Brake Systems*, 106 *Brake Hoses*, 109 *New pneumatic and certain specialty tires*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, 124 *Accelerator Control Systems*, 202 *Head Restraints*, 203 *Impact protection for the driver from the steering control system*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and door retention components*, 207 *Seating Systems*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the subject non-U.S. certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: Replacement of the original instrument cluster with the U.S. model component and reprogramming the

associated software as described in the petition.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: Replacement of the front and rear side marker lamps, headlamps, taillamps and stop lamps with U.S.-conforming components.

Standard No. 110 *Tire Selection and Rims*: Installation of the required tire information placard.

Standard No. 111 *Rearview Mirrors*: Inscription of the required warning statement on the face of the passenger side rearview mirror or replacement of the mirror with a U.S. model mirror.

114 *Theft protection*: A U.S. model center console control system will be added to activate the key warning and belt warning systems.

118 *Power-Operated Window, Partition, and Roof panel System*: A U.S. model center console control system will be added to activate the key warning and belt warning systems.

Standard No. 208 *Occupant Crash Protection*: Replacement of passive restraint system, electrical wiring harness, passenger's side seat belt, seatbelt tracks and electronic control unit (ECU) with U.S. model components as described in the petition.

Standard No. 209 *Seat Belt Assemblies*: Replacement of the passenger seat belt assembly with U.S. model components.

Standard No. 301 *Fuel System Integrity*: Replacement of fuel system components with U.S. model components as necessary to meet all applicable requirements of the standards.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

**Jeffrey M. Giuseppe,**  
Director, Office of Vehicle Safety Compliance.  
[FR Doc. 2016-17190 Filed 7-20-16; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0055; Notice 1]

#### Notice of Receipt of Petition for Decision That Nonconforming Model Year 2008-2011 Ferrari 599 Passenger Cars Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Receipt of petition.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2008-2011 Ferrari 599 passenger cars (PC) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2008-2011 Ferrari 599 PC) and they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is August 22, 2016.

**ADDRESSES:** Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

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

- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 202-493-2251.

*Instructions:* 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. Please see the Privacy Act heading below.

*Privacy Act:* 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 (65 FR 19477–78).

*How to Read Comments submitted to the Docket:* You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

**FOR FURTHER INFORMATION CONTACT:** George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

**SUPPLEMENTARY INFORMATION:**

**Background**

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible

for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies (JK), Inc. of Baltimore, MD (Registered Importer R–90–006) has petitioned NHTSA to decide whether nonconforming 2008–2011 Ferrari 599 PC's are eligible for importation into the United States. The vehicles which JK believes are substantially similar are MY 2008–2011 Ferrari 599 PC's sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2008–2011 Ferrari 599 PC's to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

JK submitted information with its petition intended to demonstrate that non-U.S. certified MY 2008–2011 Ferrari 599 PC's, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that the non U.S.-certified MY 2008–2011 Ferrari 599 PC's, as originally manufactured, conform to: Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 106 *Brake Hoses*, 109 *New pneumatic and certain specialty tires*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, 124 *Accelerator Control Systems*, 126 *Electronic Stability Control Systems*, 135 *Light vehicle brake systems*, 201 *Occupant Protection in Interior Impact*, 202a *Head Restraints*, 203 *Impact protection for the driver from the steering control system*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 213 *Child restraint systems*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the subject non-U.S certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays:* Replacement of the instrument cluster with U.S. model components and reprogramming as described in the petition and its attachments.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* Replacement of the front and rear side marker lamps, headlamps and tail lamps with U.S.-conforming components and reprogramming the associated ECU software as described in the petition and its attachments.

Standard No. 110 *Tire Selection and Rims:* Installation of the required tire information placard.

Standard No. 111 *Rearview Mirrors:* Inscription of the required warning statement on the face of the passenger side rearview mirror or replacement of the mirror with the U.S. model mirror.

Standard No. 114 *Theft Protection:* Reprogramming the body and ECU programs to activate the key warning and seat belt warning systems as described in the petition and its attachments.

Standard No. 118 *Power-Operated Window, Partition, and Roof panel System:* Reprogramming of the vehicle ECU, as described in the petition and its attachments to meet the requirements of the standard.

Standard No. 138 *Tire Pressure Monitoring Systems:* Reprogramming of the vehicle ECUs and replacement or addition of TPMS components with U.S.-model components as necessary to meet the requirements of the standard as described in the petition and its attachments.

Standard No. 207 *Seating Systems:* Replacement of all seats with U.S.-model seats if necessary to meet the requirements of the standard and FMVSS No. 208, as described in the petition and its attachments.

Standard No. 208 *Occupant Crash Protection:* Replacement of any seat belts, airbags, sensors, control units (ECU), wiring harnesses, knee bolsters, braces and software that are not identical to the U.S. model components with U.S. model components.

After installation of any new components, verification of system compliance will be completed as stated in the petition and its attachments.

Standard No. 209 *Seat Belt Assemblies:* Replacement of the passenger seat belt assembly with U.S. model components as necessary to meet the requirements of the standard.

Standard No. 225 *Child Restraint Anchorage Systems:* Replacement of or addition of anchorage components with U.S. model components as necessary to meet the requirements of the standard.

Standard No. 301 *Fuel System Integrity:* The fuel system will need to be modified as described in the petition and its attachments as necessary to meet the requirements of the standard.

Standard No. 401 *Interior Trunk Release*: A trunk release mechanism must be installed to meet the requirements of the standard.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

**Jeffrey M. Giuseppe,**  
Director, Office of Vehicle Safety Compliance.  
[FR Doc. 2016-17191 Filed 7-20-16; 8:45 am]  
BILLING CODE 4910-59-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0024; Notice 1]

#### Spartan Motors USA, 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:** Spartan Motors USA, Inc. (Spartan), has determined that certain model year (MY) 2013-2015 Utilimaster Vans do not fully comply with paragraph S4.5.1(c) of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant crash protection*. Spartan Motors USA, Inc., filed a report dated January 15, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports* for Spartan. Spartan then petitioned NHTSA under 49 CFR part 556 requesting a decision that the subject noncompliance is inconsequential to motor vehicle safety.

**DATES:** The closing date for comments on the petition is August 22, 2016.

**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 in the title of this notice and 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 comments you have submitted by mail 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](http://www.regulations.gov/), including any personal information provided.

The petition, supporting materials, and all comments received before the close of business on the closing date indicated above will be filed in the docket 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 also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All documents submitted to the 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](http://www.regulations.gov/) by following the online instructions for accessing the dockets. The docket ID number for this petition is shown at the heading of this notice.

DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477-78).

#### SUPPLEMENTARY INFORMATION:

**I. Overview:** Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Spartan 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 Spartan'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 910 MY 2013-2015 Utilimaster Vans that were manufactured between July 11, 2014 and December 8, 2015.

**III. Noncompliance:** Spartan explains that the noncompliance occurred during alterations to the subject vehicles. During alterations the sun visors were removed and then reinstalled. As a result of the reinstallation, the required sun visor air bag warning labels are not visible when the sun visors are in the stowed position. Since the sun visor air bag warning labels are not visible when in the stowed position, an air bag alert label is required and therefore does not meet the requirements as specified in paragraph S4.5.1(c) of FMVSS No. 208.

**IV. Rule Text:** Paragraph S4.5.1(c) of FMVSS No. 208 requires in pertinent part:

S4.5.1(c) *Air bag alert label.* If the label required by S4.5.1(b) is not visible when the sun visor is in the stowed position, an air bag alert label shall be permanently affixed to that visor so that the label is visible when the visor is in that position. The label shall conform in content to the sun visor label shown in Figure 6(c) of this standard, and shall comply with the requirements of S4.5.1(c)(1) through S4.5.1(c)(3) . . .

**V. Summary of Spartan's Petition:** Spartan described the subject noncompliance and stated its belief that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

(a) Spartan cited the definition of motor vehicle safety as stated in the Safety Act under 49 U.S.C. 30111(a). Spartan also cited 49 U.S.C. 30118(d) under the Safety Act where Congress acknowledges that there are cases where a manufacturer has failed to comply with a safety standard, yet the impact on motor vehicle safety is so slight that an exemption from the notice and remedy requirements of the Safety Act is justified.

(b) Spartan stated that S4.5.1(b)(2) of FMVSS No. 208 requires an air bag warning label to be installed, at the manufacturer's option, on either side of the sun visor at each outboard seating position equipped with an inflatable restraint. Within that same section of FMVSS No. 208, it states that air bag warning labels are to be installed, at the manufacturer's option, in accordance