

vehicle safety standards 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 (formerly section 114 of the Act), 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 Federal motor vehicle safety standards.

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.

Liphardt & Associates, Inc. of Ronkonkoma, New York (Registered Importer R-90-004) petitioned NHTSA to decide whether 1994 Mercedes-Benz SL280 passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on November 27, 1995 (59 FR 58432) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition. No comment were received in response to the notice. Based on its review of the information submitted by the petitioner, NHTSA has decided to grant the petition.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP 145 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1994 Mercedes-Benz SL280 (Body Style 129) is substantially similar to a 1994 Mercedes-Benz SL320 originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all

applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: February 13, 1996.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 96-3560 Filed 2-15-96; 8:45 am]

BILLING CODE 4910-59-M

Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; BMW

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

ACTION: Grant of petition for exemption.

SUMMARY: This notice grants in full the petition of BMW of North America, Inc., (BMW) for an exemption of a high-theft line, the Carline 5, from the parts-marking requirements of the Federal motor vehicle theft prevention standard. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements.

DATES: The exemption granted by this notice is effective beginning with the 1997 model year (MY).

FOR FURTHER INFORMATION CONTACT: Ms. Rosalind Proctor, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2739.

SUPPLEMENTARY INFORMATION: On November 29, 1995, BMW submitted to NHTSA a petition for exemption from the parts-marking requirements of the Federal motor vehicle theft prevention standard (49 CFR Part 541) for the Carline 5, beginning with MY 1997. The petition has been filed pursuant to 49 CFR Part 543, *Exemption From Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for an entire vehicle line.

BMW's submittal is considered a complete petition, as required by 49 CFR Part 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6. In its petition, BMW provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the new line. This antitheft device includes an electronic

immobilizer system, consisting of a key with a transponder (a transmitter/receiver), which is a microchip that is integrated into the key. This transponder will allow the ignition to operate and fuel supply to be released when a correct signal has been received. The immobilizer device is automatically activated when the engine is shut off and the vehicle key is removed from the ignition lock cylinder. In addition to the key, the antitheft device can be activated using the radio frequency remote control. The vehicle is equipped with a central door locking system, including the hood and trunk. There are no audible or visual alarms.

In order to ensure reliability and durability of the device, BMW stated that it conducted performance tests under BMW Standard 600 13.0 Parts 1 and 2, e.g., climatic tests, high temperature endurance run, thermoshock test in water, chemical resistance, vibrational load, electrical ranges, mechanical shock test, and electromagnetic field compatibility.

BMW compared the device proposed for its new line with devices which NHTSA has previously determined to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts-marking requirements of Part 541, and has concluded that the antitheft device proposed for this new line is likely to be no less effective than the devices installed in the lines for which NHTSA has already granted exemptions from the parts-marking requirements.

Additionally, BMW states that the immobilizer system fulfills the requirements of the European vehicle insurance companies, which became standard as of January 1995. The requirements prescribe that the vehicle must be equipped with an electronic vehicle immobilizing device which works independently from the mechanical locking system and prevents the operation of the vehicle through the use of coded intervention in the engine management system. In addition, the device must be self-arming (passive), must become effective upon leaving the vehicle or not later than the point at which the vehicle is locked, and must deactivate the vehicle only by electronic means and not with the mechanical key. In addition, BMW states that the Carline 5 door and ignition locks conform to Swedish Regulation F42-1975, which requires a minimum of 5 minutes resistance to the application of commonly available tools.

Based on evidence submitted by BMW, the agency believes that the antitheft device for the Carline 5 is likely to be as effective in reducing and

detering motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard (49 CFR Part 541).

The agency concludes that the device will provide the following aspects of performance listed in § 543.6(a)(3): Promoting activation, preventing defeat or circumvention of the device by unauthorized persons, preventing operation of the vehicle by unauthorized entrants, and ensuring the reliability and durability of the device. The device lacks the ability to attract attention to the efforts of unauthorized persons to enter or operate a vehicle by a means other than a key (§ 541.6(a)(3)(ii)).

As required by 49 U.S.C. 33106 and 49 CFR Part 543.6(a) (4) and (5), the agency finds that BMW has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information BMW provided about its device.

For the foregoing reasons, the agency hereby grants in full BMW's petition for exemption for the Carline 5 from the parts-marking requirements of 49 CFR Part 541.

If BMW decides not to use the exemption for this line, it should formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR 541.5 and 542.6 (marking of major component parts and replacement parts).

NHTSA notes that if BMW wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption." The agency wishes to minimize the administrative burden which § 543.9(c)(2) could place on exempted vehicle manufacturers and itself.

The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be de minimis. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as de minimis, it

should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: February 13, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96-3599 Filed 2-15-96; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE TREASURY

[Treasury Directive Number 12-41]

Delegation of Authority Concerning Equal Employment Opportunity (EEO); Programs and Regional Complaint Centers

February 8, 1996.

1. *Delegation.* This Directive delegates authority to the Director, Office of Equal Opportunity Program, to:

a. Direct the Department of the Treasury's EEO Programs including all areas of affirmative action, the Hispanic Employment Program (including the Educational Excellence for Hispanic Americans Program), the Federal Women's Program, the Historically Black Colleges and Universities Program, the Federal Equal Opportunity Recruitment Program, and the Disability Program;

b. Direct the Department's Discrimination Complaint Processing System, including administering the Regional Complaint Centers in such a manner as to process EEO complaints in an efficient, timely, and cost-effective manner, including accepting or dismissing complaints of discrimination, conducting complete and fair investigations, rendering all final decisions on individual and class complaints of discrimination, making findings regarding discrimination, rendering decisions on allegations of breach of settlement agreements, making determinations on attorney's fees, and requiring appropriate remedial action whenever necessary;

c. Develop policies, plans and procedures for implementation of the EEO Programs;

d. Evaluate the sufficiency of the programs and recommend to the Assistant Secretary for Management & CFO appropriate solutions for upgrading the programs;

e. Promulgate rules and regulations to carry out the responsibilities delegated by this Directive;

f. Approve the use of any administrative dispute resolution

process used in resolving EEO complaints;

g. Review and evaluate effectiveness of bureau EEO-related training programs; and

h. Administer such projects as the Assistant Secretary for Management & CFO shall establish.

2. *Redelegation.* The authority delegated above, or any parts thereof, may be redelegated by the Director, Office of Equal Opportunity Program.

3. *Authority.* Treasury Order 102-02, "Delegation of Authority Concerning Equal Opportunity Programs."

4. *Cancellation.* Treasury Directive 12-41, "Delegation of Authority Concerning Equal Employment Opportunity Programs and Regional Complaint Centers," dated April 17, 1989, is superseded.

5. *Expiration Date.* This Directive shall expire three years from the date of issuance unless superseded or cancelled prior to that date.

6. *Office of Primary Interest.* Office of Equal Opportunity Program, Office of the Deputy Assistant Secretary (Departmental Finance and Management), Office of the Assistant Secretary for Management & CFO.

George Muñoz,

Assistant Secretary for Management & CFO.

[FR Doc. 96-3525 Filed 2-15-96; 8:45 am]

BILLING CODE 4810-25-P

Internal Revenue Service

Agency Information Collection Activities; Comment Request

AGENCY: Internal Revenue Service (IRS), Treasury.

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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the IRS is soliciting comments concerning Form SS-8, Determination of Employee Work Status for Purposes of Federal Employment Taxes and Income Tax Withholding.

DATES: Written comments should be received on or before April 16, 1996, to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.