

for and address their parking needs; (2) how truck drivers select when, where, and at which facility they park (including public vs. private stops); and, (3) what truck drivers think of the adequacy of current parking facilities.

Approach: The survey instrument will be developed with input from several commercial vehicle industry segments. The industry segments represented during survey development will include safety stakeholders, trade associations, and carrier companies. Survey development will include a thorough search of related survey efforts, including, but not limited to, other commercial vehicle driver surveys. Survey items will reflect parking-related factors identified through literature reviews, as well as parking-related factors and concerns raised in discussions with representatives from the various industry segments. The survey will contain primarily fixed-response items. The items will address driver demographics, trip-planning, factors influencing parking decisions, and drivers' assessment of the adequacy of current commercial vehicle parking. Where appropriate, drivers will be asked these questions for both current and typical hauls. The demographic information will help determine whether different types of drivers have different parking needs.

The survey will be distributed to truck drivers at selected truck stops and rest areas across the United States. Randomly sampling drivers at parking facilities along U.S. trucking corridors will ensure that all drivers who use such parking facilities have an equal chance of being included in the study. To increase sample size, mail-out surveys may also be used.

**Respondents:** There will be 2,000 randomly selected truck drivers who will be requested to respond to the planned survey.

**Estimated Burden Hours:** The average burden per response is 15 minutes. This includes the time needed for reviewing the survey instructions, completing the appropriate survey instrument, reviewing the collection of information, and returning the information to the research team. The estimated total annual burden to survey respondents is 500 hours. The survey is a one-time survey.

#### Public Comments Invited

Interested parties are invited to send comments regarding any aspect of this information collection, including, but not limited to: (1) The necessity and utility of the information collection for the proper performance of the functions of the FHWA; (2) the accuracy of the

estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

#### Electronic Access

Internet users can access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office Electronic Bulletin Board Service at telephone number 202-512-1661. Internet users may reach the **Federal Register's** home page at <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**Authority:** TEA-21, Section 4027; 49 CFR 1.48.

Issued on: January 13, 2000.

**Michael J. Vecchiotti,**

*Director, Office of Information and Management Services.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-99-5507; Notice 2]

#### Decision that Nonconforming 1990-1999 Nissan GTS and GTR Passenger Cars Are Eligible for Importation

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

**ACTION:** Notice of decision by NHTSA that nonconforming 1990-1999 Nissan GTS and GTR passenger cars are eligible for importation.

**SUMMARY:** This document announces the decision by NHTSA that 1990-1999 Nissan GTS and GTR Passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all such standards.

**DATES:** The decision is effective as of the date of its publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

#### 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 Federal motor 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, 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. Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards based on destructive test data or such other evidence as NHTSA decides to be adequate.

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 determination in the **Federal Register**.

J.K. Motors of Baltimore, Maryland (Registered Importer No. R-90-006) petitioned NHTSA to decide whether 1990-1999 Nissan GTS and GTR Passenger cars are eligible for importation into the United States. NHTSA published notice of the petition under Docket Number NHTSA-99-5507 on April 16, 1999 (64 FR 18963) to afford an opportunity for public comment.

As stated in the notice, the petitioner claimed that 1990-1999 Nissan GTS and GTR passenger cars have safety features that comply with Standard Nos. 102 *Transmission Shift Lever Sequence . . .*

(based on comparison of components to those on comparable U.S.-certified models, such as the Nissan 300ZX Turbo), 103 *Defrosting and Defogging Systems* (based on engineering analysis and comparison of components to those on comparable U.S.-certified models, such as the Nissan 300ZX and 300ZX Turbo), 104 *Windshield Wiping and Washing Systems* (based on engineering analysis and comparison of components to those on comparable U.S.-certified models, such as the Nissan 240SX, 300ZX, 300ZX Turbo, and Maxima), 105 *Hydraulic Brake Systems* (based on engineering analysis and comparison of components to those on comparable U.S.-certified models, such as the Nissan 300ZX and Maxima), 106 *Brake Hoses* (based on comparison of components to those on comparable U.S.-certified models and on visual inspection of certification markings), 109 *New Pneumatic Tires* (based on visual inspection of certification markings), 113 *Hood Latch Systems* (based on comparison of components to those on comparable U.S.-certified models, such as the Nissan 300 ZX Turbo), 116 *Brake Fluids* (based on visual inspection of certification markings), 124 *Accelerator Control Systems* (based on engineering analysis and comparison of components to those on comparable U.S.-certified models, such as the Nissan 300ZX Turbo, which also utilize dual return springs, either of which is capable of closing the throttle when the other is disconnected), 202 *Head Restraints* (based on results of dynamic tests conducted for petitioner by MGA Research Corporation to establish vehicles' compliance with Standards 208 and 301), 203 *Impact Protection for the Driver from the Steering Control System* (based on results of dynamic tests conducted for petitioner by MGA Research Corporation to establish vehicles' compliance with Standard 208), 204 *Steering Control Rearward Displacement* (based on results of dynamic tests conducted for petitioner by MGA Research Corporation to establish vehicles' compliance with Standard 208), 205 *Glazing Materials* (based on comparison of components to those on comparable U.S.-certified models and on visual inspection of certification markings), 206 *Door Locks and Door Retention Components* (based on results of dynamic tests conducted for petitioner by MGA Research Corporation to establish vehicles' compliance with Standards 208 and 301, in which forces exerted far exceed those specified in Standard 206), 209 *Seat Belt Assemblies* (based on

comparison of components to those on comparable U.S.-certified models and on visual inspection of certification markings), 216 *Roof Crush Resistance* (based on comparison of roof structure to that of comparable U.S. certified models, such as the Nissan 300 ZX, and on engineering analysis), 219 *Windshield Zone Intrusion* (based on test data), and 302 *Flammability of Interior Materials* (based on comparison of components to those on comparable U.S.-certified models).

Petitioner also stated that based on engineering analysis the 1990–1999 Nissan GTS and GTR passenger cars comply with the Bumper Standard found at 49 CFR part 581. The petitioner observed that the bumpers are of a customary plastic/nylon design impregnated with body color and that they are mounted with high energy absorption components.

The petitioner also contended that 1990–1999 Nissan GTS and GTR passenger cars are capable of being altered to comply with the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) substitution of a lens marked "Brake" for a lens with an ECE symbol on the brake failure indicator lamp; (b) installation of a speedometer/odometer calibrated in miles per hour. Petitioner stated that it is also silk screening its own custom faces to meet the standard. Petitioner further stated that the remaining controls and displays are identical to those found on comparable U.S.-certified models, such as the Nissan 300ZX.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Installation of U.S.-model headlamps and front sidemarker lights; (b) installation of U.S.-model rear sidemarker lights and reflectors; (c) installation of a high mounted stop lamp, if the vehicle is not already so equipped. The petitioner asserts that the tail lamp assemblies meet the standard in all respects.

Standard No. 110 *Tire Selection and Rims*: installation of a tire information placard. Petitioner stated that the rims that are equipped on the vehicle have DOT certification markings and are identical to those found on comparable U.S.-certified models, such as the Nissan 300ZX Turbo.

Standard No. 111 *Rearview Mirrors*: replacement of the passenger side rearview mirror with a U.S.-model component.

Standard No. 114 *Theft Protection*: installation of a U.S.-model warning buzzer in the steering lock electrical circuit on all models and installation of a U.S.-model seatbelt warning system on

1990–1993 models. Petitioner stated that the components installed on GTS models will be identical to those found on the Nissan Maxima, and the components installed on GTR models will be identical to those found on the Nissan 300ZX Turbo.

Standard No. 118 *Power-Operated Window Systems*: installation of a relay (identical to that found on the Nissan 300ZX) in the power window system of 1990–1993 models so that the window transport is inoperative when the ignition is switched off. Petitioner stated that 1994–1999 models are already equipped with this component.

On May 12, 1999, under 49 CFR part 512, NHTSA's Office of Chief Counsel granted J.K.'s request for confidential treatment of structural drawings submitted with the petition to demonstrate the capability of the vehicles to be conformed to Standard Nos. 201, 207, 208, 210, 214, and 301, but denied J.K.'s request for confidential treatment of test data submitted with the petition that confirmed the vehicles' conformity with the standards. The material for which confidentiality was denied has been placed in the public docket, together with a copy of the petition.

Standard No. 201 *Occupant Protection in Interior Impact*: The petitioner stated that compliance with Standard 201 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation to establish the vehicles' compliance with Standards 208 and 301. These tests were conducted after the petitioner had made structural modifications to the dash area of the vehicles.

Standard No. 207 *Seating Systems*: The petitioner stated that compliance with Standard 207 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation to establish the vehicles' compliance with Standards 208 and 301. These tests were conducted after the petitioner had made structural modifications to the seat frames.

Standard No. 208 *Occupant Crash Protection*: (a) Replacement of the driver's side airbag on 1990–1993 models, and the driver's and passenger's side airbags on 1994–1999 models with components manufactured to petitioner's specifications based on the results of static and dynamic tests conducted by MGA Research Corporation. These tests were conducted after petitioner had made certain structural modifications to the vehicle; (b) installation of an airbag warning label on each sun visor. Petitioner stated that the vehicle is

equipped with a seatbelt warning lamp and buzzer that are identical to components found on comparable U.S.-certified models. The petitioner also stated that the vehicles are equipped with combination lap and shoulder restraints that adjust by means of an automatic retractor and release by means of a single push button at all front and rear designated seating positions.

Standard No. 210 *Seat Belt Assembly Anchorages*: The petitioner stated that compliance with Standard 207 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation to establish the vehicles' compliance with Standards 208 and 301. These tests were conducted after structural modifications at seat belt assembly anchorage points. That are depicted in structural drawings that were granted confidentiality by NHTSA's Office of Chief Counsel under 49 CFR part 512.

Standard No. 212 *Windshield Retention*: application of adhesives to the windshield's edges.

Standard No. 214 *Side Impact Protection*: The petitioner stated that compliance with Standard 214 was demonstrated in dynamic tests on both sides of the vehicle conducted for the petitioner by MGA Research Corporation. These tests were conducted after certain structural modifications to the vehicle. The petitioner observed that no doors opened on impact in the course of these tests.

Standard No. 301 *Fuel System Integrity*: The petitioner stated that compliance with Standard 301 was demonstrated in dynamic tests conducted for the petitioner by MGA Research Corporation. These tests were made after fuel system modifications made in conjunction with those necessary to meet Environmental Protection Agency (EPA) requirements.

The petitioner additionally stated that a vehicle identification number (VIN) plate must be attached to the left windshield post and a reference and certification label must be added in the left front door post area to meet 49 CFR part 565.

No comments were received in response to the notice of petition. 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 determination must indicate on the form HS-7 accompanying entry the appropriate

vehicle eligibility number indicating that the vehicle is eligible for entry. VCP-17 is the vehicle eligibility number assigned to vehicles admissible under this determination.

#### **Final Decision**

Accordingly, on the basis of the foregoing, NHTSA hereby decides that 1990-1999 Nissan GTS and GTR Passenger cars are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all applicable Federal motor vehicle safety standards.

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

Issued on: January 12, 2000.

**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 00-1125 Filed 1-18-00; 8:45 am]

**BILLING CODE 4910-59-P**

### **DEPARTMENT OF TRANSPORTATION**

#### **National Highway Traffic Safety Administration**

[Docket No. NHTSA-99-6685; Notice 1]

#### **General Motors Corporation, Receipt of Application for Decision of Inconsequential Noncompliance**

General Motors Corporation (GM) has determined that certain 1999 Chevrolet vehicles are not in full compliance with Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire selection and rims for motor vehicles other than passenger cars," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." GM has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance and defect (represented by the failures to meet Part 567) are inconsequential to motor vehicle safety.

This notice of receipt of an application 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 application.

The purpose of FMVSS No. 120 is to provide safe operation of vehicles by ensuring that those vehicles are equipped with tires of appropriate size and load rating; and rims of appropriate size and type designation. Paragraph S5.2 of FMVSS No. 120 requires that each rim or, at the option of the manufacturer in the case of a single-

piece wheel, the wheel disc be marked with specific information, including a designation which indicates the source of the rim's published nominal dimensions, and the rim size designation, and in case of multipiece rims, the rim designation. For example: 20 x 5.50, or 20 x 5.5.

Between March 1, 1999, and March 13, 1999, GM produced 11,522 Blazers and S-10 trucks that may contain wheels that are missing the width designation in the rim marking on the back side of the wheel. GM's wheel supplier, Reynolds-Rualca, Venezuela, produced 3,721 wheels that had an error in the rim size designation. Instead of the correct rim size designation of "15x7," these wheels have a rim size designation of "15x7". The error occurred when one the wheel casting molds was refurbished. Of the 3,721 mis-marked wheels produced, a maximum of mis-designated 1,658 wheels were installed on the Chevrolet vehicles. The rim markings other than the rim width designation were not affected by the refurbishing error, and the remainder of the rim marking information, including rim diameter, is correct on all of the 1,658 wheels.

GM supports its application for inconsequential noncompliance by stating the following:

1. "The tire and rim of the affected wheels are properly matched, and are appropriate for the load-carrying characteristics of these vehicles. The lack of complete marking has no effect on the performance of the tire/rim combination of the subject vehicles."
2. "These vehicles have a placard on the left front door that contains the correct and complete tire and rim sizes installed on these vehicles. The placard on the subject vehicles shows rim size completely and correctly as 15x7J."

3. "The owner's manual provided with these vehicles contains a section 'Buying New Tires.' The text of this section advises the customer that they should look at the Certification/Tire Label to find out what kind and size of tires they need. It goes on to tell them that they should get new tires with the same Tire Performance Criteria Specification (TPC Spec) that the vehicle came with, and that they can find the TPC number on each tire's sidewall. Finally it advises them that if they were to replace the tires with those not having the TPC Spec number found on the original equipment tires, they should make sure that the tires they choose are the same size, load range, speed rating and construction type as the original tires. Nowhere are customers told to look at the wheel to determine the appropriate tire."