

return times. The pedals on these assemblies were cycled at room temperature. Since the vast majority of driving is done with a only limited pedal movement, each cycle consisted of a 10 per cent application of pedal travel. Every 2,000 cycles the pedal return at -40 degrees F (-40 degrees C) was checked. The results, shown in Figure 5 [of the application], indicate that most pedals will return within the specified time limit after 10,000 cycles, and all pedals will easily meet the time limits after 15,000 cycles.

5. *Warranty Data*—GM has reviewed recent warranty data for the 1997 Corvette, as well as complaint data. We are unaware of any data suggesting the subject condition is a real world safety issue.

No comments were received on the application.

FMVSS No. 124 requires that the accelerator control system return to the idle position in the event of a single point disconnection or severance of the system in no more than three seconds after the pedal is released when tested at temperatures from -18 degrees C (0 degrees F) to -40 degrees C (-40 degrees F also). If the severance is of one of the three pedal return springs inside the passenger compartment, full return will take longer than three seconds when the temperature of the passenger compartment is below -32 degrees C (-26 degrees F).

In this instance, there are many mitigating circumstances that render the noncompliance inconsequential to safety. First, the noncompliance does not result in the throttle sticking open at extreme low temperatures. It merely closes more slowly as a result of congealed lubricant on a new pedal assembly with tightly fitting parts. (GM determined that the lubricant was not necessary for long term durability or corrosion protection and discontinued its use to avoid further non-compliances.) Even with one return spring removed, the accelerator pedal returns at least 85 percent of full travel within the specified time. The worst consequence is merely the duration of an elevated idle speed for about six seconds, and the vehicle is subject to this condition only for periods when the temperature in the passenger compartment is below -26 degrees F. Second, the pedal assemblies loosen up enough in about 2000 miles of normal driving to correct the noncompliance. While pedal assemblies with all three return springs satisfy the performance requirements of FMVSS No. 124 under all temperature conditions regardless of congealed lubrication or tight fit of parts, even those with one spring

removed will satisfy the standard after about 2,000 miles of use despite the congealed lubrication at -40 degrees F. It is unlikely that many of the first 9,500 1997 Corvettes, which had lubricated pedal assemblies, have not yet corrected themselves. Third, it is extremely unlikely that a pedal return spring would fail during the first 2000 miles of driving. The springs are designed for an infinite fatigue life, and they are mounted in a protected area. Also, they are direct acting compression springs not dependent upon connections.

In consideration of the foregoing, it is hereby found that General Motors Corporation has met its burden of persuasion that the noncompliance discussed herein is inconsequential to motor vehicle safety, and its application is granted.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: July 28, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-97-3146]

Toyota Technical Center, U.S.A., Inc., Grant of Application for Decision of Inconsequential Noncompliance

Toyota Technical Center, U.S.A., Inc. (Toyota) of Washington, DC on behalf of the Toyota Motor Manufacturing, Kentucky, Inc. (TMMK) has determined that some 1998 model Toyota Sienna vehicles fail to comply with 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "Tire selection and rims for vehicles other than passenger cars," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Toyota 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 is inconsequential to motor vehicle safety.

Notice of receipt of the application was published, with a 30-day comment period, on December 10, 1997, in the **Federal Register** (62 FR 65127). NHTSA received no comments on this application during the 30-day comment period.

In FMVSS No. 120, paragraph S5.3 states that the recommended cold

inflation pressure for the designated tire must appear either on the certification label or a tire information label.

Toyota produced 4,358 vehicles from May 12, 1997 through October 13, 1997 which do not meet the labeling requirements stated in the standard. The recommended 240KPa (35 PSI) cold inflation pressure for the designated tire (P205/70R15) is misstated on the certification label as 220 KPa (33 PSI).

Toyota supported its application for inconsequential noncompliance with the following three statements:

1. On these vehicles, Toyota has applied a voluntary tire information label, on which the correct recommended pressure, "240 KPa/35 PSI" (at maximum loaded vehicle weight) appears, [located at] the door opening portion of the driver side B-pillar. Toyota believes that owners will refer to this tire information label rather than the certification label, making the possibility of confusion due to the different tire inflation pressures quite low.

2. The vehicle owner's manual also indicates the correct recommended inflation pressure.

3. The Maximum Loaded Vehicle Weight (MLVW)—the weight of the heaviest vehicle of the car line with full accessories, passengers in all designated seating positions, and maximum cargo and luggage load—of the Toyota Sienna is 2,365 kg. In such [a] fully-loaded condition, the rear axle is loaded more than the front [axle], resulting in a rear axle load of 1,204 kg or 602 kg on each rear tire. The load limit of the subject P205/70R15 tire inflated to 220 KPa (33 PSI) is 650 kg. Therefore, there still exists a 48 kg margin under the MLVW. Since the Sienna is a passenger vehicle—as opposed to a cargo vehicle—it is unlikely that the owner will overload it.

The reason for requiring the maximum permissible tire inflation pressure to be provided on a permanent label in the vehicle is to give the vehicle user the necessary information to minimize the likelihood that the tires will be overloaded or overinflated. In this case, the too-low maximum inflation pressure shown on the vehicle label raises concerns that the tires will be overloaded when the vehicle is fully loaded. However, NHTSA believes Toyota has provided sound reasons to conclude that these concerns are unlikely in the circumstances of this application. First, the vans have correct maximum inflation pressures shown on a tire information label on the vehicle and in the owner's manual, but a too-low maximum inflation pressure on the certification label. Second, and most

significantly, even if the tires are inflated to the too-low maximum inflation pressure shown on the vehicle certification label, the tires would still not be overloaded.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it describes is inconsequential to safety. Accordingly, its application is granted, and the applicant is exempted from providing the notification of the noncompliance that is required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120. (49 U.S.C. 30118, delegations of authority at 49 CFR 1.50 and 501.8).

Issued on: July 29, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 98-20629 Filed 7-31-98; 8:45 am]

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DEPARTMENT OF THE TREASURY

Customs Service

Proposed Collection; Comment Request; Automated Commercial System Surety Data Element Enhancements

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, Customs invites the general public and other Federal agencies to comment on an information collection requirement concerning the enhancement of Surety Data Elements collected by the Customs Automated Commercial System (ACS) by the addition of two new data elements. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

DATES: Written comments should be received on or before October 2, 1998, to be assured of consideration.

ADDRESSES: Direct all written comments to U.S. Customs Service, Information Services Group, Attn.: J. Edgar Nichols, 1300 Pennsylvania Avenue, NW, Room 3.2C Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to U.S. Customs Service, Attn.: J. Edgar Nichols, Room 3.2C, 1300 Pennsylvania Avenue NW, Washington, DC 20229, Tel. (202) 927-1426; or to Mr. Byron Kissane, Room 5.2C, 1300 Pennsylvania Avenue NW, Washington, DC 20229, Tel. (202) 927-0380.

SUPPLEMENTARY INFORMATION: At the request of the American Surety Trade Association, the Customs Service proposes to add two additional data elements to the Automated Broker Interface (ABI) module of ACS. These new data elements are bond amount and producer account number. The new data elements, which are each ten characters in length, shall be captured in the ABI environment only and will not be entered on-line by Customs field personnel for non-ABI entry summary transactions. Additionally, these new data elements will be added to the Automated Surety Interface download. This will facilitate the surety accounting procedures. Customs invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the

information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the Customs request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document Customs is soliciting comments concerning the following information collection:

Title: Entry and Entry Summary (Electronic Record).

OMB Number: 1515-0065.

Form Number: Customs Form 7501 and Electronic Record A-40.

Abstract: Customs Form 7501 and Electronic Record A-40 are used by Customs as a record of the impact transaction, to collect proper duty, taxes, exactions, certifications and enforcement endorsements, and to provide copies to Census for statistical purposes.

Current Actions: This change will add two data elements to the electronic record only. There are no other changes to the information collection.

Type of Review: Extension (with change).

Affected Public: Businesses, Individuals, Institutions.

Estimated Number of Respondents: 600,000.

Estimated Time Per Respondent: 5 minutes.

Estimated Total Annual Burden Hours: 50,000.

Estimated Total Annualized Cost on the Public: N/A.

Dated: July 24, 1998.

J. Edgar Nichols,

Team Leader, Information Services Group.

[FR Doc. 98-20624 Filed 7-31-98; 8:45 am]

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