The description of the alterations must include: Identification of all parts removed and installed, how software programming changes were completed, and how compliance was verified after alterations were performed. The descriptions must be accompanied by photographs of the software installation and testing systems used, as well as printouts and/or screenshots of their displays showing successful software installation or reports indicating such results.

With regard to FMVSS No. 208, NHTSA has decided that each conformity package must also include a detailed description of the occupant protection system in place on the vehicle at the time it was delivered to the RI, and a similarly detailed description of the occupant protection system in place after the vehicle is altered, including photographs of all labeling required by FMVSS No. 208. The description must also include parts assembly diagrams.

Should an RI decide to alter the vehicles to conform to FMVSS No. 138, Tire Pressure Monitoring Systems by adding TPMS system, it must submit a test report verifying that the vehicle meets the requirements of the standard with the system installed or refer to such a test report previously submitted to verify that the installed system allowed a vehicle of the same make, model, and model year to achieve conformity with FMVSS No. 138.

In addition to the information specified above, each conformity package must include information showing how the RI verified that the changes it made in loading or programming vehicle software to achieve conformity with each individual FMVSS did not cause the vehicle to fall out of compliance with any other applicable FMVSS.

Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that MY 2006–2010 BMW M3 passenger cars that were not originally manufactured to comply with all applicable FMVSS are substantially similar to 2006–2010 BMW M3 PCs manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable Federal Motor Vehicle Safety Standards.

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–571 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

The importer of a vehicle admissible under any final decision must indicate

Standards.

applicable Federal Motor Vehicle Safety

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

Jeffrey Giuseppe,
Director, Office of Vehicle Safety Compliance.

[FR Doc. 2015–17507 Filed 7–16–15; 8:45 am]
BILLING CODE 4910–99–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0066; Notice 2]

Ford Motor Company, Grant of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Grant of petition.

SUMMARY: Ford Motor Company (Ford) has determined that certain model year (MY) 2013 Ford Fusion and Lincoln MKZ passenger cars built from August 12, 2012 through January 14, 2013 at the Hermosillo Stamping and Assembly Plant (HSAP) in Hermosillo, Mexico.

III. Noncompliance: Ford has determined that because the affected vehicles were inadvertently shipped to dealers in the “Factory Mode” instead of “Transport Mode,” the transmission gear selected in relation to other gears is not always displayed by the shift position sequence indicator (aka, PRNNDL) as required by paragraph S3.1.4.1(a) of FMVSS No. 102. In addition, the affected Ford Fusion vehicles manufactured with mechanical key ignition systems do not fully meet the requirements of paragraph S5.2.1 of FMVSS No. 114 because under certain conditions the mechanical key may be removed from the ignition lock cylinder when the transmission shift lever is in a position other than “park.”

IV. Rule Text: Paragraph S3.1.4.1(a) of FMVSS No. 102 specifically states:

S3.1.4.1 Except as specified in S3.1.4.3, if the transmission shift position sequence includes a park position, identification of shift positions, including the positions in relation to each other and the position selected, shall be displayed in view of the driver whenever any of the following conditions exist:

(a) The ignition is in a position where the transmission can be shifted; . . .

Paragraph S5.2.1 of FMVSS No. 114 specifically states:

S5.2.1 Except as specified in S5.2.3, the starting system required by S5.1 must prevent key removal when tested according to the procedures in S6, unless the transmission or gear selection control is locked in “park” or becomes locked in “park” as a direct result of key removal.

V. Summary of Ford’s Analyses: Ford stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The vehicle design is self-
remedying. The affected vehicles are
properly illuminated whenever the engine is not running and the battery indicator lamps. If a consumer were to receive a vehicle in Factory Mode and decide to ignore the warning message, their vehicle would automatically switch to a fully compliant mode after the required number of key cycles.

We believe that drivers of the affected vehicles will be sufficiently alerted by the message on the instrument cluster which reads "Factory Mode—Contact Dealer". Furthermore, if they choose to ignore this message, the vehicle is designed to be self-remedying after 60 ignition key cycles. Considering the unique conditions involved with these noncompliances, and Ford’s statement about the lack of associated complaints, accidents or injuries related to the affected vehicles, Ford’s noncompliance is considered inconsequential.

**NHTSA’s Decision:** In consideration of the foregoing, NHTSA has decided that Ford has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Ford’s petition is hereby granted and Ford is exempted from the obligation of providing notification of, and remedy for the subject noncompliances.

**NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the 4,727 vehicles that Ford no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction for delivery or introduction into interstate commerce of the noncompliant vehicles under their control after Ford notified them that the subject noncompliance existed.**

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

Jeffrey Giuseppe,
Director, Office of Vehicle Safety Compliance.
[PR Doc. 2015–17506 Filed 7–16–15; 8:45 am]

**BILLING CODE 4910–59–P**

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[Docket No. FD 35936]

Piedmont Railway LLC—Lease and Operation Exemption—North Carolina Department of Transportation

Piedmont Railway LLC (Piedmont), a noncarrier, has filed a verified notice of...