

be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION: I.

Overview: Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Cooper 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 Cooper'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. Tires Involved: Affected are approximately 1,350 Cooper Weather-Master S/T2 size 215/70R15 tires manufactured between April 26, 2015 and May 29, 2015.

III. Noncompliance: Cooper explains that the noncompliance is that the inboard sidewalls of the subject tires are labeled with an incorrect manufacturer's identification mark and therefore do not fully meet all applicable requirements of paragraph S5.5.1(b) of FMVSS No. 139. Specifically, the tires are labeled with manufacturer's identification mark "U8" instead of "U9."

IV. Rule Text: Paragraph S5.5.1 of FMVSS No. 139 requires in pertinent part:

S5.5.1 *Tire Identification Number.*

* * * * *

(b) *Tires manufactured on or after September 1, 2009.* Each tire must be labeled with the tire identification number required by 49 CFR part 574 on the intended outboard sidewall of the tire. Except for retreaded tires, either the tire identification number or a partial tire identification number, containing all characters in the tire identification number, except for the date code and, at the discretion of the manufacturer, any optional code, must be labeled on the other sidewall of the tire. Except for retreaded tires, if a tire does not have an intended outboard sidewall, the tire must be labeled with the tire identification number required by 49 CFR part 574 on one sidewall and with either the tire identification number or a partial tire identification number, containing all characters in the tire identification number except for the date code and, at the discretion of the manufacturer, any optional code, on the other side wall.

V. Summary of Cooper's Petition: Cooper states its belief that the subject noncompliance is inconsequential to motor vehicle safety because while the subject tires contain an incorrect manufacturer's identification mark on the inboard sidewall, the full and

correct tire code (including the correct manufacturer's identification mark) is available on the intended outboard sidewall. In addition, Cooper stated that the tires are marked with the Cooper Weather-Master S/T2 brand name that is exclusively owned by Cooper Tire & Rubber Company.

Cooper also indicated that it has taken the following steps to ensure proper registration of the subject tires:

(a) Cooper has informed all internal personnel responsible for manual processing of tire registration cards about the "U8" issue so that cards containing the "U8" designation will be accepted and properly processed when all other information accurately identifies the subject tires. And, Cooper will follow up with the consumer seeking additional information by providing a prepaid response card.

(b) Cooper is in the process of modifying its database to accept "U8" when other information (brand, serial weeks affected etc.) is accurate.

(c) Cooper has contacted Computerized Information and Management Services, Inc. (CIMS) so that tire registration cards will not be rejected solely due to improper plant code information.

Cooper additionally informed NHTSA that on May 29, 2015 the incorrect mold was pulled and the stamping error that caused the subject noncompliance was corrected at that time.

Refer to Coopers' petition for their complete reasoning and any associated illustrations. The petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov/> and following the online search instructions to locate the docket number listed in the title of this notice.

In summation, Cooper believes that the described noncompliance of the subject tires is inconsequential to motor vehicle safety, and that its petition, to exempt Cooper from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

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, any decision on this petition only applies to

the subject tires that Cooper no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Cooper 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.

[FR Doc. 2015-26804 Filed 10-21-15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0144; 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) 2014 Ford Focus passenger cars do not fully comply with paragraph S3.1.4.1(a) of Federal Motor Vehicle Safety Standard (FMVSS) No. 102, *Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect*. Ford has filed an appropriate report dated November 25, 2013 pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

ADDRESSES: For further information on this decision contact Amina Fisher, Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5307, facsimile (202) 366-5930.

SUPPLEMENTARY INFORMATION: I. *Ford's Petition:* Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Ford 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.

Notice of receipt of Ford's petition was published, with a 30-Day public comment period, on June 19, 2014 in

the **Federal Register** (79 FR 35226). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2013-0144."

II. *Vehicles Involved*: Affected are approximately 43,699 MY 2014 Ford Focus passenger cars manufactured from August 2, 2013 through September 27, 2013, at Ford's Michigan Assembly Plant in Wayne, Michigan.

III. *Noncompliance*: Ford explains that the noncompliance is that the subject vehicles do not fully meet the requirements of paragraph S3.1.4.1(a) of FMVSS No. 102 because after a vehicle's ignition has been switched on, the transmission shift position indicator (PRNDx) does not display transmission shift position sequence and position, *i.e.*, Park, until after the shifter release button is depressed under certain non-typical conditions.

IV. *Rule Text*: Paragraph S3.1.4.1 of FMVSS No. 102 requires in pertinent part:

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 exist:

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

V. Summary of Ford's Analyses

Ford explained that this condition can only occur after a non-typical key-on sequence and only when the transmission is in park, and believes that this condition does not present a risk to motor vehicle safety. The following two examples were presented:

Example 1: After the cluster enters sleep mode, if an operator, without first opening the door, inserts a key and turns on the ignition from outside the vehicle (*e.g.*, through an open window) and later enters the vehicle, the PRNDx will not be illuminated until the shift lever button is depressed.

Example 2: After shutting down a vehicle with the transmission in Park, the driver remains in the vehicle for approximately 10 minutes with the key out of the ignition, and does not contact the brake pedal or open a door, the cluster will go into sleep mode. If the driver then starts the engine in 0.7 seconds or less of performing an action that causes the cluster to wake-up (*e.g.*, touching the brake pedal) the PRNDx will not be illuminated until the shift lever button is depressed.

Ford said that as soon as the transmission shift lever release button is

depressed (required for shifting to any non-park position) the PRNDx will illuminate, allowing the customer to select the desired gear.

Ford also mentioned that under normal usage the PRNDx illuminates as intended. As an example, Ford explained that when the driver or passenger opens a door and enters the car, the cluster will wake-up from sleep mode and the subject condition will not occur.

Furthermore, Ford explained that if the vehicle is left in any gear other than park, the cluster will not go into sleep mode, this subject noncompliant condition will not occur, and the PRNDx will illuminate as intended.

Lastly, Ford stated that no other Ford vehicles are affected by this condition and Ford is not aware of any owner complaints, accidents or injuries related to this condition.

Ford has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles will comply with FMVSS No. 102.

In summation, Ford believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt Ford from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA Decision

NHTSA Analysis: NHTSA has reviewed Ford's justification for an inconsequential noncompliance determination and agree that the subject noncompliance is inconsequential to motor vehicle safety.

Ford stated that the subject condition can only occur after certain non-typical key-on sequences and only when the transmission is in park, thus not presenting a risk to motor vehicle safety. Ford provided two example scenarios that can lead to the subject noncompliance. In both scenarios the instrument cluster electronics defaults to a sleep mode after a short period of inactivity (requires approximately 10 minutes of inactivity). Under the first scenario, while in the sleep mode, if the vehicle operator inserts the ignition key and activates the ignition through an open window, without first opening the door, and later enters the vehicle through the door, the PRNDx will not be illuminated until the shift lever button is depressed. In the second scenario, after driving, stopping, shifting the vehicle to park, shutting the engine off and removing the ignition key, if the

driver remains in the vehicle for approximately 10 minutes without contacting the brake pedal or opening a door, the instrument cluster will go into sleep mode. If the driver then starts the engine in 0.7 seconds or less of performing an action that causes the cluster to wake-up (*e.g.*, touching the brake pedal) the PRNDx will not be illuminated until the shift lever button is depressed.

Upon consideration of these two scenarios, the Agency believes either could occur, although very infrequently. If either situation did happen to occur, the transmission would be in the park position and any further action by the operator to leave the vehicle or shift the vehicle out of the park position, in preparation to drive away, would resolve the PRNDx illumination condition. The noncompliant situations could only exist for short periods of time while the transmission is in the park position and only until the driver takes further action (*i.e.*, leaves the vehicle, depresses the brake pedal, or activates the shift lever button to shift the vehicle from park). Under these rare situations there appears to be very little risk to motor vehicle safety.

Ford explained that as soon as the transmission shift lever release button is depressed, which is required prior to shifting to any non-park position, the PRNDx will illuminate allowing the driver to see and select the desired gear. NHTSA recognizes that if the driver did find themselves in the subject noncompliant condition and attempted a gear change they would have to depress both the brake pedal and the shift lever release button located on the shift lever. Current vehicle designs are required to have a brake transmission shift interlock that forces the driver to depress the brake pedal before the transmission can be shifted from the park position. Either application of the brake pedal or activation of the shift lever release, whichever occurs first, will wake the vehicle dashboard cluster electronics causing the PRNDx to illuminate. The driver is then able to clearly see and select the desired transmission gear position.

Ford stated that the PRNDx illuminates as intended under normal vehicle use and explained that when a driver or passenger door is opened the instrument cluster electronics will wake-up from the sleep mode subsequently meeting the illumination requirements of the safety standard. NHTSA agrees that it is normal behavior for a driver (or passenger) to first open a door to enter the vehicle before starting the engine. It is also normal behavior after entering a vehicle for the

driver to depress the brake pedal and activate the transmission shift release button in order to shift out of the park position. The subject noncompliance could only occur in very rare situations, and only when the vehicle is in the park transmission position, thus not presenting a risk to motor vehicle safety.

Ford lastly stated that if the vehicle is left in any transmission gear other than park, the cluster will not go into sleep mode, the subject condition will not occur, and the PRNDx will illuminate as intended. The Agency understand that if a driver does turn the vehicle off when the transmission is in a gear other than park the instrument cluster electronics will not be allowed to go into a sleep mode and the PRNDx illumination will perform as required by the Standard.

NHTSA Decision: In consideration of the foregoing, NHTSA has decided that Ford has met its burden of persuasion that the FMVSS No. 102 noncompliance 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 a remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

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, any decision on this petition only applies to the subject vehicles that Ford no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve Ford distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for 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 M. Giuseppe,

Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT-OST-2010-0054]

RIN 2105-ADO4

Application To Renew Information Collection Request OMB No. 2105-0551

AGENCY: Office of the Secretary (OST), Department of Transportation (Department).

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), the Department of Transportation's Office of the Secretary is forwarding the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for approval. The ICR describes the nature of the information and the expected burden. OST published a **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information on April 16, 2015. The purpose of this notice is to allow the public an additional 30 days from the date of this notice to submit comments to the recently published application to renew ICR 2105-0551, "Reporting Requirements for Disability-Related Complaints."

DATES: Comments on this notice must be received by November 23, 2015.

ADDRESSES: Your comments should be identified by Docket No. DOT-OST-2015-0083 and should be submitted through one of the following methods:

- *Office of Management and Budget, Attention: Desk Officer for U.S. Department of Transportation, Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.*
- *Email: oira_submission@omb.eop.gov.*
- *Fax: (202) 395-5806.*

FOR FURTHER INFORMATION CONTACT:

Maegan Johnson, Office of the General Counsel, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, 202-366-9342 (Voice), 202-366-7152 (Fax), or maegan.johnson@dot.gov (Email). Arrangements to receive this document in an alternative format may be made by contacting the above-named individuals.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, 5 CFR part 1320, require Federal agencies to

issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On April 16, 2015, OST published a 60-day notice in the **Federal Register** soliciting comment on ICRs for which the agency was seeking OMB approval. *See* 80 FR 20554. OST received no comments after issuing this notice. Accordingly, the Department has not made any changes to its anticipated burden hours for the respondents to comply with these requirements. The Department announces that these information collection activities have been re-evaluated and certified under 5 CFR. 1320.5(a) and is forwarding to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983 (Aug. 29, 1995). OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983 (Aug. 29, 1995). Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure their full consideration. 5 CFR 1320.12(c); *see also* 60 FR 44983 (Aug. 29, 1995). The summaries below describe the nature of the ICR and the expected burden.

Title: Reporting Requirements for Disability-Related Complaints.

OMB Control Number: 2105-0551.

Type of Request: Renewal of Information Collection Request.

Background: On July 8, 2003, the Office of the Secretary published a final rule that requires certificated U.S. and foreign air carriers operating to, from and within the U.S. that conduct passenger-carrying service utilizing at least one large aircraft to record complaints that they receive alleging inadequate accessibility or discrimination on the basis of disability. The carriers must also categorize these complaints according to the type of disability and nature of complaint, prepare a summary report annually of the complaints received during the preceding calendar year, submit the report to the Department's Aviation Consumer Protection Division, and retain copies of correspondence and