DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2009 Mercedes-Benz G Class Long Wheelbase (463 Chassis) Multipurpose Passenger Vehicle Are Eligible for Importation

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

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2009 Mercedes-Benz G Class Long Wheelbase (LWB) (463 Chassis) multipurpose vehicles (MPVs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2009 Mercedes-Benz G Class LWB MPV) and they are capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is June 3, 2016.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

- Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the online instructions for submitting comments.
- Hand Delivery or Courier: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- Instructions: Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Please see the Privacy Act heading below.
- Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477–78).

How to Read Comments submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at http://www.regulations.gov. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.


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 FMVSS 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 FMVSS.

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.

J.K. Technologies LLC (J.K) of Baltimore, Maryland (Registered Importer R–90–006) has petitioned NHTSA to decide whether nonconforming 2009 Mercedes-Benz G Class LWB MPVs are eligible for importation into the United States. The vehicles which J.K believes are substantially similar are MY 2009 Mercedes-Benz G Class LWB MPVs sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2009 Mercedes-Benz G Class LWB MPVs to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

J.K submitted information with its petition intended to demonstrate that non-U.S. certified MY 2009 Mercedes-Benz G Class LWB MPVs, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that the non-U.S.-certified MY 2009 Mercedes-Benz G Class LWB MPVs, as originally manufactured, conform to:

Seat Belt Assembly Anchorages, 212
Windshield Mounting, 214
Side Impact Protection, 216
Roof Crash Resistance, 219
Windshield Zone Intrusion, and 302
Flammability of Interior Materials.

The petitioner also contends that the subject non-U.S. certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: Replacement of the original instrument cluster with the U.S. model component and reprogramming the associated software as described in the petition. Inspection of each vehicle, and replacement of the cruise control lever with the U.S.-model component if required for the vehicle to conform to the standard.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: Replacement of the front and rear turn signal and side marker lamps, headlamps, taillamps, stop lamps, and backup lamps with U.S.-conforming components.

Standard No. 110 Tire Selection and Rims: Installation of the required tire information placard.

Standard No. 111 Rearview Mirrors: Replacement of the passenger side rearview mirror with a U.S.-model component or inscription of the required warning statement on the face of the existing mirror.

No. 114 Theft Protection and Rollaway Prevention: Reprogramming to activate the audible key warning and belt warning as described in the petition.

Standard No. 208 Occupant Crash Protection: The petitioner states that the passive restraint systems of the international specification vehicles comply with the requirements of this standard and are identical to the U.S. version with respect to all aspects of this standard, except for the passenger sun visor and dash mounted air bag warning labels. The petitioner also states that all software used to control the occupant crash protection systems bears the U.S. program codes and all hardware parts bear the U.S. part numbers.


Standard No. 301 Fuel System Integrity: The petitioner states that the fuel systems in these vehicles are identical to those in the U.S.-certified model. Fuel spillage problems are controlled by the evaporative system that was installed to meet EPA requirements. These evaporative systems have a rollover and check valve incorporated into their design.

The petitioner also states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565. All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,
Director, Office of Vehicle Safety Compliance.

FOREIGN TRADE REGULATIONS:

Supplementary Information:

Form Number and Titles: FS Form 2001—Release.

OMB Number: 1530–0053. (Previously approved as 1535–0114 as a collection conducted by Department of the Treasury/Bureau of the Public Debt.) Transfer of OMB Control Number: The Bureau of Public Debt (BPD) and the Financial Management Service (FMS) have consolidated to become the Bureau of the Fiscal Service (Fiscal Service). Information collection requests previously held separately by BPD and FMS will now be identified by a 1530 prefix, designating Fiscal Service.

Abstract: The information is requested to ratify payment of savings bonds/notes and release the United States of America from any liability.

Current Actions: Revision of a currently approved collection.

Type of Review: Regular.

Affected Public: Individuals or Households.

Estimated Number of Respondents: 25.

Estimated Time per Respondent: 6 minutes.

Estimated Total Annual Burden Hours: 2.5.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (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 estimate 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 of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: April 28, 2016.

Bruce A. Sharp,
Bureau Clearance Officer.

[FR Doc. 2016–10358 Filed 5–3–16; 8:45 am]

BILLING CODE 4810–AS–P