

background shall be of contrasting colors, one of which is red. Words or symbols in addition to those required by Standard No. 101 and this section may be provided for purposes of clarity.

(b) Vehicles manufactured with a split service brake system may use a common brake warning indicator to indicate two or more of the functions described in S5.5.1(a) through S5.5.1(g). If a common indicator is used, it shall display the word "Brake . . .

(d) If separate indicators are used for one or more of the conditions described in S5.5.1(a) through S5.5.1(g), the indicators shall display the following wording: . . .

(3) If a separate indicator is provided for the condition specified in S5.5.1(b), the letters and background shall be of contrasting colors, one of which is yellow. The indicator shall be labeled with the words "Antilock" or "Anti-lock" or "ABS"; or "Brake Proportioning," in accordance with Table 2 of Standard No. 101 . . .

#### V. Summary of PCNA's Petition:

PCNA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, PCNA submitted the following reasoning:

(a) The Owner's Manual for the subject vehicles is written for multiple markets and depicts both the "BRAKE" and ISO symbols telltales for brake warning, as well as the "ABS" and ISO symbol telltales for ABS lamp.

(b) The ISO symbol for ABS lamp also contains the word "ABS", which is additionally embedded in a circle with two vertical lines. In case of an illumination of the ISO symbol, the malfunction display, located in the instrument cluster, will display an additional warning message that states "ABS/PSM failure. Drive with caution" and an initial warning chime will sound. Porsche believes that in the event the ISO ABS telltale is displayed, the driver would recognize a possible ABS malfunction.

(c) In the event the brake fluid level in the master cylinder reservoir is less than the recommended safe level, the ISO symbol will illuminate, and the multifunction display will display a warning message that states "Brake fluid level. Park vehicle safely" and an initial warning chime will sound. The message will stay continuously displayed, provided there are no other serious message(s), which would result in the messages being displayed in an alternating manner. If the brake fluid is still low on subsequent ignition key cycles the message will be redisplayed in the message center.

(d) The parking brake in the subject vehicles are set by pushing a button labelled "P", which is located on the left hand side of the steering wheel. Once the parking brake is set, a red light indicator located in the button will illuminate. Thus the application of the parking brake is in full view of the operator. When the parking brake is engaged it illuminates the ISO symbol and should the operator proceed with the parking brake engaged, the parking brake releases automatically if the following prerequisites are fulfilled:

1. Engine is running;
2. Driver's door is closed;
3. Driver's seat belt is fastened.

If one of these prerequisites is not fulfilled, the electric parking brake is not automatically released when the operator attempts to drive off. A message appears on the multifunction display, and the red light indicator in the button as well as the ISO symbol for the brake will flash.

(e) In all cases the ISO symbols for the brake and ABS telltale illuminate and remain illuminated in accordance with the requirements of FMVSS No. 135.

(f) Porsche is unaware of any field or owner complaints regarding the issue of non-compliant telltales.

PCNA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the 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 vehicles that PCNA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle 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 PCNA 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.*

[FR Doc. 2017-07165 Filed 4-10-17; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0023; Notice 1]

#### Notice of Receipt of Petition for Decision That Nonconforming Model Year 2010 Chevrolet Camaro Passenger Cars (PC) 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) 2010 Chevrolet Camaro Passenger Cars (PC) 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 2010 Chevrolet Camaro PC) and they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is May 11, 2017.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493-2251.

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 comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477-78).

**FOR FURTHER INFORMATION CONTACT:** George Stevens, Office of Vehicle Safety Compliance, NHTSA (202-366-5308).

**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**.

Wallace Environmental Testing Laboratories, Inc. (WETL), Inc. of Houston, Texas (Registered Importer R-90-005) has petitioned NHTSA to decide whether nonconforming 2010 Chevrolet Camaro PC's are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are MY 2010 Chevrolet Camaro PC's 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 2010 Chevrolet Camaro PC's to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified MY 2010 Chevrolet Camaro PC's, 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 2010 Chevrolet Camaro PC's, as originally manufactured, conform to: Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 106 *Brake Hoses*, 108 *Lamps, Reflective Devices and Associated Equipment*, 111 *Rear Visibility*, 113 *Hood Latch System*, 114 *Theft Protection and Rollaway Prevention*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof Panel System*, 124 *Accelerator Control Systems*, 126 *Electronic Stability Control Systems*, 135 *Light Vehicle Brake Systems*, 201 *Occupant Protection in Interior Impact*, 202a *Head Restraints*, 203 *Impact Protection from Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209

*Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 225 *Child Restraint Anchorage Systems*, 301 *Fuel System Integrity*, 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.

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

Standard No. 138 *Tire Pressure Monitoring Systems*: Installation of a tire pressure monitoring system identical to, and with the same part number as the system installed in the U.S. Certified vehicle.

Standard No. 208 *Occupant Crash Protection*: All programs in this system are based on the USA SA program codes and all hardware parts bear the USA part numbers. In addition, documentation required as part of an Owner's manual or supplemental documentation must be provided by the Registered Importer.

The petitioner additionally 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.

Because the subject petition covers nonconforming vehicles that have been manufactured on or after September 1, 2006, compliance with the advanced air bag requirements of FMVSS No. 208 is of significant concern to the agency. NHTSA is therefore particularly interested in comments regarding the ability of a Registered Importer to readily alter the subject vehicles to fully meet the driver and front outboard passenger frontal crash protection and child passenger protection requirements of FMVSS No. 208. The following is a partial listing of the components that may be affected:

- a. Driver's frontal air bag module
- b. Passenger frontal air bag module
- c. Passenger frontal air bag cover
- d. Knee air bags
- e. Knee bolsters
- f. Passenger outboard frontal seat belt system
- g. Driver and front outboard seat assemblies including seat tracks and internal seat components

- h. Steering wheel components, including the clock spring assembly, the steering column, and all connecting components
- i. Instrument panel
- j. Instrument panel support structure (*i.e.* cross beam)
- k. Occupant sensing and classification systems, including sensors and processors
- l. Restraint control modules
- m. Passenger air bag status indicator light system, including related display components and wiring
- n. Wiring harnesses between the restraint control module, occupant classification system and restraint system components
- o. Control system computer software and firmware.

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.*

[FR Doc. 2017-07162 Filed 4-10-17; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0071; Notice 2]

#### Cooper Tire & Rubber 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:** Cooper Tire & Rubber Company (Cooper), has determined that certain MULTI-MILE Grand Tour LS passenger vehicle tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Tires Radial Tires for Light Vehicles*. Cooper filed a defect report dated May 24, 2016. Cooper also petitioned NHTSA on June 8, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

**ADDRESSES:** For further information on this decision contact Abraham Diaz, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5310, facsimile (202) 366-5930.

#### SUPPLEMENTARY INFORMATION:

*I. Overview:* Cooper Tire & Rubber Company (Cooper), has determined that certain MULTI-MILE Grand Tour LS passenger vehicle tires do not fully comply with paragraph S5.5.1(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Tires Radial Tires for Light Vehicles*. Cooper filed a defect report dated May 24, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

Cooper petitioned NHTSA on June 8, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published, with a 30-day public comment period, on August 3, 2016 in the **Federal Register** (81 FR 51269). 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-2016-0071."

*II. Tires Involved:* Affected are approximately 37 Cooper Tire MULTI-MILE Grand Tour LS Size 205/70R15 Tubeless Radial Tires manufactured between March 24, 2016 and March 29, 2016.

*III. Noncompliance:* Cooper explains that the noncompliance is that the outboard 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 the manufacturer's identification mark "Y9," assigned to a manufacturing facility in P.T. Gadjah Tunggal, Kabupaten Tangerang, Jawa Barat, Indonesia, instead of "U9," assigned to Cooper's manufacturing facility in Tupelo, Mississippi, where the tires were actually produced.

*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 on account of the fact that while the subject tires contain an incorrect manufacturer's identification mark on the outboard sidewall, the full and correct tire code (including the correct manufacturer's identification mark) is available on the intended inboard sidewall.

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 incorrect manufacturer identification issue so that cards containing the "Y9" designation will be accepted and properly processed when all other information accurately identifies the subject tires. Additionally, consistent with its usual practices, whenever a tire registration card is submitted with inaccurate or incomplete information, Cooper sends a mailing to the consumer seeking additional information by providing a prepaid response card.

(b) Cooper has also modified its database to accept "Y9" when other information (brand, serial weeks affected etc.) is accurate.

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

Cooper also noted that while the subject tires are mislabeled only with the plant code on the outboard side, they meet all other performance requirements of the applicable standard. The company observed that plant code