

TABLE 142.230(b)—40-B:C PORTABLE FIRE EXTINGUISHERS—Continued

Gross tonnage—		Minimum number of 40-B:C portable fire extinguishers
Over	Not over	
50 .....	100	2
100 .....	500	3
500 .....	1,000	6
1,000 .....	.....	8

(c) The frame or support of any semi-portable fire extinguisher fitted with wheels must be welded or otherwise permanently attached to a steel bulkhead or deck to prevent it from rolling under heavy sea conditions.

(d) Extinguishers with larger numerical ratings or multiple letter designations may be used if the extinguishers meet the minimum requirements of this section.

■ 7. Add § 142.231 to read as follows:

**§ 142.231 Exception for portable and semi-portable fire extinguishers required for existing towing vessels.**

(a) Previously installed fire extinguishers with extinguishing capacities smaller than what is required by § 142.230 of this part need not be replaced and may be continued in service so long as they are maintained in good condition to the satisfaction of the OCMI.

(b) All new equipment and installations must meet the applicable requirements in this part for new vessels.

■ 8. Amend § 142.240 by revising paragraphs (a) introductory text, (a)(1) and (2), the heading for Table 142.240, and paragraph (c)(2) to read as follows:

**§ 142.240 Inspection, testing, maintenance, and records.**

(a) *Inspection and testing.* All portable fire extinguishers, semi-portable fire-extinguishing systems, fire-detection systems, and fixed fire-extinguishing systems, including ventilation, machinery shutdowns, and fixed fire-extinguishing system pressure-operated dampers on board the vessel, must be inspected or tested at least once every 12 months, as prescribed in paragraphs (a)(1) through (8) of this section, or more frequently if otherwise required by the TSMS applicable to the vessel.

(1) Portable and semi-portable fire extinguishers must be inspected, maintained, and tested in accordance with the inspection, maintenance procedures, and hydrostatic pressure tests required by Chapters 7 and 8 of NFPA 10, Standard for Portable Fire Extinguishers (incorporated by

reference, see § 136.112 of this subchapter), with the frequency specified by NFPA 10 and as amended here:

(i) Certification or licensing by a state or local jurisdiction as a fire extinguisher servicing agency will be accepted by the Coast Guard as meeting the personnel certification requirements of NFPA 10 for annual maintenance and recharging of extinguishers.

(ii) Monthly inspections required by NFPA 10 may be conducted by the owner, operator, person-in-charge, or a designated member of the crew.

(iii) Non-rechargeable or non-refillable extinguishers must be inspected and maintained in accordance with NFPA 10; however, the annual maintenance need not be conducted by a certified person and can be conducted by the owner, operator, person-in-charge, or a designated member of the crew.

(iv) The owner or managing operator must provide satisfactory evidence of the required servicing to the marine inspector or TPO, as applicable. If any of the equipment or records have not been properly maintained, a qualified servicing facility must perform the required inspections, maintenance procedures, and hydrostatic pressure tests. A tag issued by a qualified servicing organization, and attached to each extinguisher, may be accepted as evidence that the necessary maintenance procedures have been conducted.

(2) Fixed fire-extinguishing systems must be inspected and tested, as required by table 142.240 of this section, in addition to the tests required by §§ 147.60 and 147.65 of subchapter N of this chapter.

\* \* \* \* \*

Table 142.240 to paragraph (a)—Fixed fire-extinguishing systems

\* \* \* \* \*

\* \* \* \* \*

(c) \* \* \*

(2) The records of inspections and tests of portable fire extinguishers and semi-portable fire-extinguishing systems may be recorded in accordance with paragraph (c)(1) of this section, or on a tag attached to each unit by a qualified servicing organization.

**§ 142.315 [Amended]**

■ 9. Amend § 142.315 by removing the text “B–V” in paragraphs (a)(3)(i) and (b)(1) and adding in its place the text “160–B”.

Dated: February 15, 2018.

**J.G. Lantz,**

*Director of Commercial Regulations and Standards, U.S. Coast Guard.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 1 and 73**

[MB Docket No. 17–106; Report No. 3086]

**Petition for Partial Reconsideration of Action in Rulemaking Proceeding**

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** A Petition for Partial Reconsideration (Petition) has been filed in the Commission’s rulemaking proceeding by Dan J. Alpert, on behalf of DA LA HUNT BROADCASTING CORP.

**DATES:** Oppositions to the Petition must be filed on or before March 13, 2018. Replies to an opposition must be filed on or before March 23, 2018.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Diana Sokolow, phone: 202–418–0588, email: *Diana.Sokolow@FCC.gov*.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s document, Report No. 3086, released February 15, 2018. The full text of the Petition is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554. It also may be accessed online via the Commission’s Electronic Comment Filing System at: <http://apps.fcc.gov/ecfs/>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5.U.S.C. because no rules are being adopted by the Commission.

*Subject:* Elimination of Main Studio Rule, MB Docket No. 17–106, FCC 17–137, published at 82 FR 57876, December 8, 2017. This document is being published pursuant to 47 CFR 1.429(e). See also 47 CFR 1.4(b)(1) and 1.429(f), (g).

*Number of Petitions Filed:* 1.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-2018-0018]

RIN 2127-AL84

#### Federal Motor Vehicle Safety Standard No. 141, Minimum Sound Requirements for Hybrid and Electric Vehicles

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Final rule; response to petitions for reconsideration.

**SUMMARY:** This document responds to petitions for reconsideration regarding NHTSA's December 2016 final rule which established new Federal motor vehicle safety standard (FMVSS) No. 141, "Minimum sound for hybrid and electric vehicles." The agency received submissions from three petitioners requesting six discrete changes to the final rule, and also received technical questions from the petitioners. After consideration of the petitions and all supporting information, NHTSA has decided to grant the petitions for four of the discrete changes, deny one, and request comment in a separate document for the sixth proposed change.

**DATES:** *Effective* April 27, 2018.

*Compliance dates:* Compliance with FMVSS No. 141 and related regulations, as amended in this rule, is required for all hybrid and electric vehicles to which these regulations are applicable beginning on September 1, 2020. The initial compliance date for newly manufactured vehicles under the 50-percent phase-in as specified in FMVSS No. 141 is delayed by one year to September 1, 2019.

Petitions for reconsideration of this final action must be received not later than April 12, 2018.

**ADDRESSES:** Correspondence related to this rule including petitions for reconsideration and comments should refer to the docket number in the heading of this document and be submitted to: Administrator, National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200

New Jersey Avenue SE, West Building, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** You may contact Mr. Thomas Healy in NHTSA's Office of the Chief Counsel regarding legal issues at (202) 366-2992 or FAX: 202-366-3820. For non-legal issues, you may contact Mr. Michael Pyne, NHTSA Office of Crash Avoidance Standards, at (202) 366-4171 or FAX: 202-493-2990.

**SUPPLEMENTARY INFORMATION:** Of the six requested changes contained in the petitions, NHTSA is granting the petition request to postpone the compliance phase-in schedule by one year. NHTSA also is granting two petition requests relating to the "Sameness" requirements in the final rule to further allow variations in alert sound across different vehicle types, and to reduce the number of compliance criteria to meet the sameness standards. In addition, NHTSA is granting a petition request to modify the regulatory language to permit the alteration of the alert sound as originally equipped on a vehicle for repairs and recall remedies. NHTSA has decided to deny one petition request to change the crossover speed, which is the speed above which the pedestrian alert sound is allowed to turn off, from 30 kilometers per hour (km/h) to 20 km/h. The agency has determined that the available information on lowering the crossover speed does not warrant making that change.

Furthermore, regarding a petition request to allow vehicles to be manufactured with a suite of driver-selectable pedestrian alert sounds, the agency is neither granting nor denying that request in this document. Instead, NHTSA intends to issue a separate document at a later date to seek comment on the issue of driver-selectable sounds.

Additionally, this document addresses a few requests for technical changes and provides a few clarifications of final rule technical requirements raised in the petitions. Lastly, this document responds to a comment on the final rule about the availability of industry technical standards incorporated by reference in the final rule.

#### Table of Contents

- I. Executive Summary
- II. Background
  - A. Notice of Proposed Rulemaking
  - B. Final Rule
- III. Petitions for Reconsideration Received by NHTSA
  - A. Alliance/Global Petition for Reconsideration and Letters of Support
  - B. Honda Petition for Reconsideration

- C. Nissan Petition for Reconsideration
- D. Other Issues

#### IV. Agency Response and Decision

- A. Phase-In Schedule, Compliance Dates, and Lead Time
- B. Sameness Requirement for Same Make, Model, Model Year Vehicles
- C. Criteria for Sameness of Production Vehicles
- D. Alteration of the OEM Alert Sound
- E. Crossover Speed
- F. Technical Clarifications in the Nissan and Honda Petitions
- G. Other Comments Relevant to the Final Rule

- V. Response to Petitions for Reconsideration
- VI. Rulemaking Analyses and Notices

#### I. Executive Summary

Pursuant to the Pedestrian Safety Enhancement Act of 2010 (PSEA),<sup>1</sup> NHTSA issued a final rule on December 14, 2016, to create a new FMVSS setting minimum sound level requirements for low-speed operation of hybrid and electric light vehicles. The minimum sound requirements provide a means for blind and other pedestrians as well as bicyclists and other road users to detect the presence of these so-called quiet vehicles and thereby reduce the risk that these vehicles will be involved in low-speed pedestrian crashes.

After the final rule was published, NHTSA received timely petitions for reconsideration<sup>2</sup> from three sources: The Auto Alliance in conjunction with Global Automakers (Alliance/Global); American Honda Motor Company, Inc. (Honda); and Nissan North America, Inc. (Nissan). These petitions requested several changes covering several aspects of the final rule. Of the various issues covered in these petitions, NHTSA identified the following six discrete requests for specific changes to requirements in the final rule (listed here in the order they appear in the Alliance/Global, Honda, and Nissan petitions):

1. To delay by one year both the compliance phase-in schedule and the date by which all vehicle production must comply with the rule (section S9);
2. To limit the compliance criteria for the Sameness requirement (section S5.5.2) to only the digital sound file and digital processing algorithm;
3. To modify the Sameness requirement (S5.5.1) to allow alert sounds to vary by trim level or model series rather than just by make/model;
4. To modify section S8, which prohibits altering the factory-equipped alert sound, to allow recall remedies

<sup>1</sup> Pedestrian Safety Enhancement Act of 2010, Public Law 111-373, 124 Stat. 4086 (2011).

<sup>2</sup> The final rule allowed 45 days for submitting petitions for reconsideration, resulting in a deadline of January 30, 2017.