

understanding within the regulated community concerning requirements for internal rail flow inspections. The Concrete Crossties NPRM was published on August 26, 2010 (75 FR 52490), and the final rule was issued on April 1, 2011 (76 FR 18073), with an effective date of July 1, 2011. FRA received two petitions for reconsideration in response to the final rule, and as a result published a second final rule on June 15, 2011 (76 FR 34890), delaying the effective date of the final rule until October 1, 2011.

**Task 08-01—(Completed)** Report on the Nation's railroad bridges. Report to FRA on the current state of railroad bridge safety management; update the findings and conclusions of the 1993 Summary Report of the FRA Railroad Bridge Safety Survey.

**Task No. 08-04—(Completed)** Positive Train Control. Provide advice regarding development of implementing regulations for PTC systems and their deployment under the RSIA. The PTC consensus rule text was approved by majority RSAC vote by electronic ballot on September 24, 2009, and the final rule was published on January 15, 2010 (75 FR 2598). Final rule amendments were published on September 27, 2010 (75 FR 59108). An NPRM proposing amendments to the PTC Final Rule that would remove various regulatory requirements that require railroads to either conduct further analyses or meet certain risk-based criteria in order to avoid PTC system implementation on track segments that do not transport poison- or toxic-by-inhalation hazardous materials traffic, and are not used for intercity or commuter rail passenger transportation, as of December 31, 2015, was published on August 24, 2011 (76 FR 52918), with comments due by October 24, 2011.

**Task No. 08-05—(Completed)** Railroad Bridge Safety Assurance. Develop a rule encompassing the requirements of Section 417 of the RSIA (Railroad Bridge Safety Assurance), of RSIA bridge failure. Final rule published July 15, 2010 (75 FR-41282).

**Task No. 08-06—(Completed)** Hours of Service Recordkeeping and Reporting. Develop revised recordkeeping and reporting requirements for hours of service of railroad employees. Final rule published May 27, 2009, with an effective date of July 16, 2009. (74 FR 25330).

**Task No. 09-01—(Completed)** Passenger Hours of Service. Provide advice regarding development of implementing regulations for the hours of service of operating employees of commuter and intercity passenger

railroads under the RSIA. The NPRM was published on March 22, 2011 (76 FR 16200), and the final rule was published on August 12, 2011 (76 FR 50360), with an effective date of October 15, 2011.

Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740), for more information about the RSAC.

**Robert C. Lauby,**

*Acting Associate Administrator for Railroad Safety/Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0040, Notice 1]

#### Notice of Receipt of Petition for Decision That Nonconforming Left-Hand Drive 2006 Land Rover Range Rover Multi-Purpose Passenger Vehicles Manufactured Prior to September 1, 2006 Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that left-hand drive (LHD) 2006 Land Rover Range Rover multi-purpose passenger vehicles (MPVs) manufactured prior to September 1, 2006 for sale in the United Kingdom and other foreign markets 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 2006 Land Rover Range Rover MPV) and they are capable of being readily altered to conform to the standards.

**DATES:** The closing date for comments on the petition is May 23, 2012.

**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.

- **Mail:** Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **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.

- **Fax:** 202-493-2251.

**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.

**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. of Houston, Texas (WETL) (Registered Importer 90-005) has petitioned NHTSA to decide whether nonconforming LHD 2006 Land Rover Range Rover MPVs are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are 2006 Land Rover Range Rover MPVs that were manufactured for sale 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 LHD 2006 Land Rover Range Rover MPVs 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 LHD 2006 Land Rover Range Rover MPVs, as originally manufactured, conform to many 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 non-U.S. certified LHD 2006 Land Rover Range Rover MPVs are identical to their U.S. certified counterparts with respect to compliance with 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*, 113 *Hood Latch System*, 116 *Motor Vehicle Brake Fluids*, Standard No. 118 *Power-Operated Window, Partition, and Roof*

*Panel Systems*, 119 *New Pneumatic Tires for Vehicles other than passenger Cars*, 124 *Accelerator Control Systems*, 135 *Light Vehicle Brake Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 203 *Impact Protection for the Driver from the Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 208 *Occupant Crash Protection*, 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*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls Telltales, and Indicators*: inscription of the word "brake" on the brake telltale in place of the international ECE warning symbol. Inspection of all vehicles and installation of U.S.-model speedometer and odometer, or modification of the existing speedometer and odometer to conform with the requirements of this standard, if required.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: installation of U.S.-model headlamps and tail lamps that incorporate side marker lamps. The petitioner states that the vehicle is already equipped with a center high mounted stop lamp.

Standard No. 111 *Rearview Mirrors*: inscription of the required warning statement on the face of the passenger side rearview mirror.

Standard No. 114 *Theft Protection*: reprogramming of the instrument cluster to activate the warning buzzer whenever the key is left in the ignition and the driver's door is opened.

Standard No. 120 *Tire Selection and Rims for Vehicles other than Passenger Cars*: installation of a tire and rim information placard.

Standard No. 301 *Fuel System Integrity*: installation of a U.S.-model rollover valve.

The petitioner states that each vehicle will be inspected prior to importation for compliance with the Theft Prevention Standard in 49 CFR part 541 and that anti-theft devices will be installed on all vehicles not already so equipped.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicles near the left windshield post to meet the requirements of 49 CFR part 565 and that a certification label must be affixed

to the driver's door jamb to meet the requirements of 49 CFR part 567.

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) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: April 16, 2012.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2011-0058; Notice 1]

#### Toyota Motor Corporation, Inc., on Behalf of Toyota Corporation, and Toyota Manufacturing, Indiana, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Toyota Motor North America, Inc., on behalf of Toyota Motor Corporation,<sup>1</sup> and Toyota Manufacturing, Indiana, Inc.<sup>2</sup> (collectively referred to as "Toyota") has determined that certain model year 2011 Toyota Sienna passenger cars manufactured between January 3, 2011 and February 11, 2011, do not fully comply with paragraph S9.5(a)(3) of Federal Motor Vehicle Safety Standard (FMVSS) No. 225, *Child restraint anchorage systems*. Toyota has filed an appropriate report pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports* (dated March 17, 2011).

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Toyota has petitioned 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 Toyota's petition is published under 49 U.S.C.

<sup>1</sup> Toyota Motor Corporation is a Japanese corporation that manufactures and imports motor vehicles.

<sup>2</sup> Toyota Manufacturing, Indiana, Inc., is an Indiana corporation that manufactures motor vehicles.