

Issued on: November 21, 2012.

Anne S. Ferro,  
Administrator.

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition To Modify an Exemption of a Previously Approved Antitheft Device; Mitsubishi Motors R&D of America

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

**ACTION:** Grant of petition to modify an  
exemption of a previously approved  
anti-theft device.

**SUMMARY:** On February 2, 2009, the  
National Highway Traffic Safety  
Administration (NHTSA) granted in full  
Mitsubishi Motors R&D (Mitsubishi) of  
America's petition for an exemption in  
accordance with § 543.9(c)(2) of 49 CFR  
part 543, *Exemption From the Theft  
Prevention Standard* for the Mitsubishi  
Outlander vehicle line beginning with  
its model year (MY) 2011 vehicles. On  
August 6, 2012, Mitsubishi submitted a  
petition to modify its previously  
approved exemption for the Outlander  
vehicle line beginning with its model  
year (MY) 2014 vehicles. Mitsubishi  
also requested confidential treatment of  
specific information in its petition. The  
agency will address Mitsubishi's request  
for confidential treatment by separate  
letter. NHTSA is granting Mitsubishi's  
petition to modify the exemption in full  
because it has determined that the  
modified device is also likely to be as  
effective in reducing and deterring  
motor vehicle theft as compliance with  
the parts-marking requirements of the  
Theft Prevention Standard.

**DATES:** The modification granted by this  
notice is effective beginning with the  
2014 model year (MY).

**FOR FURTHER INFORMATION CONTACT:** Ms.  
Deborah Mazyck, Office of International  
Policy, Fuel Economy and Consumer  
Programs, NHTSA, 1200 New Jersey  
Avenue SE., Washington, DC 20590. Ms.  
Mazyck's telephone number is (202)  
366-4139. Her fax number is (202) 493-  
2990.

**SUPPLEMENTARY INFORMATION:** On  
February 2, 2009, NHTSA published in  
the **Federal Register** a notice granting in  
full a petition from Mitsubishi for an  
exemption from the parts-marking  
requirements of the Theft Prevention  
Standard (49 CFR 541) for the Outlander  
vehicle line beginning with its MY 2011

vehicles (see 74 FR 5891, February 2,  
2009). The Mitsubishi Outlander is  
currently equipped with a passive,  
transponder-based, electronic engine  
immobilizer device and an audible and  
visible alarm.

On August 6, 2012, Mitsubishi  
submitted a petition to modify the  
previously approved exemption for the  
Outlander vehicle line. This notice  
grants in full Mitsubishi's petition to  
modify the exemption for the Outlander  
vehicle line beginning with its MY 2014  
vehicles. Mitsubishi's submission is a  
complete petition, as required by 49  
CFR part 543.9(d), in that it meets the  
general requirements contained in 49  
CFR Part 543.5 and the specific content  
requirements of 49 CFR part 543.6. Mitsubishi's petition for modification  
provides a detailed description and  
diagram of the identity, design, and  
location of the components of the  
anti-theft device proposed for  
installation beginning with the 2014  
model year.

The current anti-theft device installed  
on the Mitsubishi Outlander included  
an electronic key, electronic control unit  
(ECU), and a passive immobilizer. Mitsubishi stated that entry models for  
the Outlander vehicle line are equipped  
with an immobilizer that functions via  
a Wireless Control Module (WCM). The  
features of the WCM include a  
transponder key, key ring antenna,  
Electronic time and alarm control  
system (ETACS) ECU, and Engine ECU  
and a receiver antenna. Mitsubishi also  
incorporated an alarm system as  
standard equipment on all trimline  
vehicles. Mitsubishi stated that this is a  
keyless entry system in which the  
transponder is located in a traditional  
key and must be inserted into the key  
cylinder in order to activate the ignition.  
All other models of the Outlander  
vehicle line are equipped with an  
immobilizer that functions via a Keyless  
Operation System (KOS). The KOS  
utilizes a keyless system that allows the  
driver to push a knob in the steering  
lock unit to activate the ignition (instead  
of using a traditional key in the key  
cylinder) as long as the transponder is  
located in close proximity to the driver  
inside the vehicle.

Mitsubishi stated that once the  
ignition switch is turned to the "on"  
position, the transceiver module reads  
the specific ignition key code for the  
vehicle and transmits an encrypted  
message containing the key code to the  
electronic control unit (ECU). The  
immobilizer receives the key code signal  
transmitted from either type of key  
(WCM or KOS) and verifies that the key  
code signal is correct. The immobilizer  
then sends a separate encrypted start-

code signal to the engine ECU to allow  
the driver to start the vehicle. The  
power train only will function if the key  
code matches the unique identification  
key code previously programmed into  
the ECU. If the codes do not match, the  
power train engine and fuel system will  
be disabled. Mitsubishi state that the  
only difference between the two keyless  
entry systems is the "key" and the  
method used to transmit the information  
from the key to the immobilizer.

In its 2014 modification, Mitsubishi  
stated that it will continue to offer the  
WCM as standard equipment for the  
entry models for the Outlander vehicle  
line but all models other than the entry  
models will be equipped with a One-  
touch Starting System (OSS). The  
features of the OSS are the Engine ECU,  
ETACS ECU, OSS ECU, KOS ECU,  
engine (power) switch, keyless  
Operation Key (transponder key) and LF  
antenna. The OSS utilizes a keyless  
system that allows the driver to press a  
button located on the instrument panel  
to activate and deactivate the ignition  
(instead of using a traditional key in the  
key cylinder) as long as the transponder  
is located in close proximity to the  
driver. Mitsubishi stated that it will also  
introduce another model into the  
Outlander vehicle line beginning with  
its MY 2014 vehicle.

Once the ignition switch is pushed to  
the "on" position, the transceiver  
module reads the specific ignition key  
code for the vehicle and transmits an  
encrypted message containing the key  
code to the electronic control unit (ECU)  
which verifies that the key is correct.  
The immobilizer then sends a separate  
encrypted start-code signal to the engine  
ECU to allow the driver to start the  
vehicle. The engine will only function  
if the key code matches the unique  
identification key code previously  
programmed into the ECU. If the codes  
do not match, the engine and fuel  
system will be disabled. Mitsubishi  
further stated that the OSS has 250  
million possible codes, making  
successful key code duplication nearly  
impossible. Mitsubishi stated that the  
immobilizer device and the ECU share  
security data when first installed during  
vehicle assembly, making them a  
matched set. These matched modules  
will not function if taken out and  
reinstalled separately on other vehicles.  
Mitsubishi also stated that the device is  
extremely reliable and durable because  
there are no moving parts, the key does  
not require a separate battery and it is  
impossible to mechanically override the  
device and start the vehicle.

Mitsubishi stated that the Mitsubishi  
Outlander has been equipped with the  
immobilizer device since MY 2007.

Mitsubishi further stated that the OSS immobilizer device will be identical to the one installed on its Outlander Sport vehicle line. Mitsubishi was granted an exemption for the Outlander Sport vehicle line on February 14, 2011 by NHTSA (See 76 FR 8400) beginning with its MY 2012 vehicles. Since the agency granted Mitsubishi's exemption for its MY 2012 Outlander Sport vehicle line, there has been no available theft rate information for this vehicle. Mitsubishi also informed the agency that the Eclipse, Galant, Endeavor, Outlander, Lancer, and i-MiEv vehicle lines have been equipped with a similar type of immobilizer device since January 2000, January 2004, April 2004, September 2006, March 2007, and October 2011 respectively, and they have all been granted parts-marking exemptions by the agency. Mitsubishi also stated that its Eclipse vehicle line has been equipped with a similar device since introduction of its MY 2000 vehicles. Mitsubishi further stated that the theft rate for the MY 2000 Eclipse decreased by almost 42% when compared with that of its MY 1999 Mitsubishi Eclipse (unequipped with an immobilizer device). Mitsubishi has concluded that the proposed anti-theft device for its vehicle line is no less effective than those devices in the lines for which NHTSA has already granted full exemption from the parts-marking requirements. The average theft rates using 3 MY's data for the Mitsubishi Eclipse, Galant, Endeavor, Outlander and Lancer vehicle lines are 1.7356, 4.8973, 1.1619, 0.3341 and 1.0871 respectively. Theft rate data for the Outlander Sport and i-MiEV are not available.

The agency has evaluated Mitsubishi's MY 2014 petition to modify the exemption for the Outlander vehicle line from the parts-marking requirements of 49 CFR Part 541, and has decided to grant it. Since the same aspects of performance (*i.e.*, arming and the immobilization feature) are still provided, the agency believes that the same level of protection is being met. The agency believes that the proposed device will continue to provide the five types of performance listed in § 543.6(a)(3): promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

If Mitsubishi decides not to use the exemption for this line, it should formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR parts 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA suggests that if the manufacturer contemplates making any changes, the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: November 21, 2012.

**Christopher J. Bonanti,**  
Associate Administrator for Rulemaking.  
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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Actions on Special Permit Applications

**AGENCY:** Pipeline And Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of actions on Special Permit Applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the actions on special permits applications in (October to November 2012). The mode of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on November 13, 2012.

**Donald Burger,**  
Chief, Special Permits and Approvals Branch.

S.P No.	Applicant	Regulation(s)	Nature of special permit thereof
<b>MODIFICATION SPECIAL PERMIT GRANTED</b>			
11054-M .....	Welker Inc. Sugar Land, TX.	49 CFR 178.36 Subpart C	To modify the special permit to authorize the containment cylinder or salvage cylinder without the internal piston.
14546-M .....	Linde Gas North America LLC Murray Hill, NJ.	49 CFR 180.209 .....	To modify the special permit to authorize an alternative testing procedures for requalifying cylinders.
3549-M .....	Sandia National Laboratories Albuquerque, NM.	49 CFR 172.101; 173.54; 173.56; 173.62.	To modify the special permit to authorize the transportation in commerce of additional Division 1.1 hazardous materials.
12396-M .....	National Aeronautics and Space Administration Washington, DC.	49 CFR 180.209 and 173.302a.	To modify the special permit to authorize rail freight, cargo vessel, and passenger aircraft as additional modes of operation.
14808-M .....	Amtro Alfa Metalomecanica SA Portugal.	49 CFR 178.51(b), (f)(1) and (2) and (g).	To modify the special permit to authorize an additional 2.1 material.
15468-M .....	Prism Helicopters Inc. Wasilla, AK.	49 CFR 172.101 Column (9B).	To modify the special permit to authorize the transportation beyond the state of Alaska.