

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 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.  
Dated: June 21, 2012.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2012–15723 Filed 6–26–12; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2012 0071]

#### **Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ISLANDER; Invitation for Public Comments**

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before July 27, 2012.

**ADDRESSES:** Comments should refer to docket number MARAD–2012–0071. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey

Avenue SE., Room W21–203, Washington, DC 20590. Telephone 202–366–5979, Email [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel ISLANDER is:

**INTENDED COMMERCIAL USE OF VESSEL:** “Overnight luxury pleasure time charters for weeklong or greater charter periods.”

**GEOGRAPHIC REGION:** “Florida, Georgia, South Carolina, North Carolina, Maryland, Virginia, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire and Maine.”

The complete application is given in DOT docket MARAD–2012–0071 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### **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 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.  
Dated: June 21, 2012.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2012–15711 Filed 6–26–12; 8:45 am]

**BILLING CODE 4910–81–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0007; Notice 1]

#### **Mercedes-Benz USA, LLC, and Daimler AG (DAG), Receipt of Petition for Decision of Inconsequential Noncompliance**

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

**ACTION:** Receipt of petition.

**SUMMARY:** Mercedes-Benz USA, LLC<sup>1</sup> (MBUSA) and its parent company Daimler AG (DAG) (collectively referred to as “MB”) have determined that certain model year 2011 and 2012 Mercedes-Benz S-Class (221 platform) passenger cars do not fully comply with paragraph S4.4 *TPMS Malfunction* of Federal Motor Vehicle Safety Standard (FMVSS) No. 138, *Tire Pressure Monitoring Systems*. MB has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports* (dated September 30, 2011).

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR Part 556), MB 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 MB's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

**Vehicles involved:** Affected are approximately 4,769 model year 2011 and 2012 Mercedes-Benz S-Class (221 platform) passenger cars that were produced from March 2011 through August 2011.

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, these provisions only apply to the

<sup>1</sup> Mercedes-Benz USA, LLC, and Daimler AG are motor vehicle manufacturers and importers. Mercedes-Benz USA, LLC is a limited liability company organized under the laws of Delaware. Daimler AG is organized under the laws of Germany.

subject 4,769<sup>2</sup> Mercedes-Benz S-Class passenger cars that MB no longer controlled at the time it determined that the noncompliance existed.

**Rule text:** Paragraph S4.4 of FMVSS No. 138 requires in pertinent part:

**S4.4 TPMS malfunction.**

(a) The vehicle shall be equipped with a tire pressure monitoring system that includes a telltale that provides a warning to the driver not more than 20 minutes after the occurrence of a malfunction that affects the generation or transmission of control or response signals in the vehicle's tire pressure monitoring system. The vehicle's TPMS malfunction indicator shall meet the requirements of either S4.4(b) or S4.4(c).

(b) Dedicated TPMS malfunction telltale. The vehicle meets the requirements of S4.4(a) when equipped with a dedicated TPMS malfunction telltale that:

(1) Is mounted inside the occupant compartment in front of and in clear view of the driver;

(2) Is identified by the word "TPMS" as described under the "Tire Pressure Monitoring System Malfunction" Telltale in Table 1 of Standard No. 101 (49 CFR 571.101);

(3) Continues to illuminate the TPMS malfunction telltale under the conditions specified in S4.4(a) for as long as the malfunction exists, whenever the ignition locking system is in the "On" ("Run") position; and

(4) (i) Except as provided in paragraph (ii), each dedicated TPMS malfunction telltale must be activated as a check of lamp function either when the ignition locking system is activated to the "On" ("Run") position when the engine is not running, or when the ignition locking system is in a position between "On" ("Run") and "Start" that is designated by the manufacturer as a check position.

(ii) The dedicated TPMS malfunction telltale need not be activated when a starter interlock is in operation.

(c) Combination low tire pressure/TPMS malfunction telltale. The vehicle meets the requirements of S4.4(a) when equipped with a combined Low Tire Pressure/TPMS malfunction telltale that:

(1) Meets the requirements of S4.2 and S4.3; and

(2) Flashes for a period of at least 60 seconds but no longer than 90 seconds upon detection of any condition specified in S4.4(a) after the ignition locking system is activated to the "On" ("Run") position. After each period of prescribed flashing, the telltale must remain continuously illuminated as long as a malfunction exists and the ignition locking system is in the

"On" ("Run") position. This flashing and illumination sequence must be repeated each time the ignition locking system is placed in the "On" ("Run") position until the situation causing the malfunction has been corrected. Multiple malfunctions occurring during any ignition cycle may, but are not required to, reinitiate the prescribed flashing sequence.

**Noncompliance:** MB described the noncompliances as follows:

In the subject vehicles, the tire pressure monitoring system malfunction indicator required by [paragraph] S4.4 of [FMVSS No. 138] may not illuminate in the manner required by FMVSS [No.] 138 due to a software misprogramming that occurred in a limited number of vehicles. When the system detects a malfunction (specifically, a missing or faulty wheel sensor signal in 1, 2 or 3 wheels), the malfunction indicator is activated within the required monitoring interval, but is activated continuously, rather than initially flashing for 60–90 seconds as required by [paragraph] S4.4(c)(2).

In addition, in a situation where all four wheel sensors/signals are missing, the subject programming will initially display the required warning, but will not automatically display it on subsequent restarts as required by [paragraph] S4.4(b)(3). This is because the system assumes that the owner has replaced the wheels which contain [Tire Pressure Monitoring System] TPMS sensors with wheels which do not contain sensors. In this situation, the driver will initially get a dedicated malfunction message indicating that the tire pressure monitoring system is inoperative, and that there are "No Wheel Sensors." On subsequent restarts, this message is still accessible in the TPMS menu, but it does not automatically appear in the instrument cluster.

**MB'S ANALYSIS OF THE NONCOMPLIANCES:** *Absence of Flashing "Malfunction" Telltale:* The failure of the malfunction telltale to flash in the subject vehicles has no negative impact on safety because the additional supplemental data in the subject vehicles addresses the underlying purpose of the flashing requirement, and more than compensates for the absence of an initial flashing.

In developing the TPMS regulations, MB believes that NHTSA recognized that flashing of the TPMS malfunction warning should not be required for all vehicles and TPMS systems, depending on the distinctiveness and level of information contained in the malfunction indicator warning. The subject vehicles use one of the telltale symbols specified for "combination"

telltale (the vehicle icon) when 1, 2 or 3 wheel sensors are missing or malfunctioning. Because this particular symbol is used, the vehicle is technically required to comply with the "combination low pressure/TPMS malfunction" telltale requirements of FMVSS No. 138 paragraph S4.4(c), which requires initial flashing, rather than the "dedicated TPMS malfunction" telltale requirement, which does not require initial flashing. Accordingly, under FMVSS No. 138 paragraph S4.4(c), this "combination" malfunction indicator is required to flash for 60–90 seconds upon initial illumination to notify the driver that the vehicle symbol stands for a system malfunction, as opposed to a low inflation pressure situation. Given the clear message conveyed by the warning in the subject vehicles, even without flashing, a driver would always understand whether his vehicle had a malfunction issue on the one hand, or a low tire pressure situation on the other.

The requirements for "dedicated" malfunction telltales at FMVSS No. 138 paragraph S4.4(b) do not require any flashing of the telltale upon initial detection of a fault or malfunction because the agency recognized that malfunction indicator telltales with sufficiently clear or distinct information alerting the driver to a problem with the function of their TPMS, as opposed to a low tire inflation pressure, did not need to flash in order to adequately alert the driver to a problem with the system.

The subject vehicles provide significantly more information than the minimum level required by the regulations for either dedicated or combination warnings. On the subject vehicles, additional text messages specifying the issue in clear terms appear at the same time that the required telltale appears. Specifically, the subject vehicles display the text message "Wheel Sensor(s) Missing" to alert the driver to a malfunction, in addition to simply displaying the vehicle icon required by the regulations as the minimum notification.

This text message, which expressly states that there is a system malfunction, is much more effective at conveying important safety information than relying on owners to review the owner's manual, and understand the distinction between a steady or flashing symbol with no words. In addition to the words expressly stating what the issue is ("Wheel Sensor(s) Missing"), the vehicle depicts an aerial view of a car with the actual tire pressure in each tire on the dashboard. In addition to the text, where a wheel sensor is missing or malfunctioning in up to 3 wheels, a

<sup>2</sup> MB's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt MB as motor vehicle manufacturers from the notification and recall responsibilities of 49 CFR Part 573 for 4,769 of the affected motor vehicles. However, a decision on this petition cannot relieve motor vehicle distributors and dealers of the prohibitions on the sale, offer for sale, introduction or delivery for introduction into interstate commerce of the noncompliant motor vehicles under their control after MB notified them that the subject noncompliance existed.

blank with two dashes appears next to the faulty wheel in lieu of a numeric pressure display, and the word "Service" is illuminated in the bottom of the display. Because the TPMS system in the subject vehicles provide significantly more than the minimum level of information, it does not rely on the difference between steady illumination and flashing to provide information on the type of TPMS issue to the driver.

In summary, MB believes that the regulations require only a flashing vehicle symbol to signal a system malfunction. The subject vehicles display a steady vehicle symbol, plus the following four additional pieces of information, which directly communicate the specific nature of the system malfunction: (1) The actual tire pressure on each wheel with a sensor; (2) two blank dashes next to a wheel with faulty sensors/signals; (3) the word "Service" on the bottom of the display; and (4) a clear text message expressly stating that there is a missing wheel sensor. Because the subject vehicles contain this supplemental information, the failure to initially flash the vehicle symbol due to a programming error in a limited number of vehicles has an inconsequential impact on safety.

**Malfunction Involving All Four Wheel Sensors:** Where all four wheel sensors are missing or inoperative, the subject vehicles utilize a dedicated warning that displays a clear and concise malfunction message that informs the driver clearly and precisely about what is wrong with the vehicle. However, this dedicated malfunction indicator will not re-illuminate upon subsequent drive cycles or after being manually cleared from the instrument cluster because the system assumes that the wheels have been replaced, and that continued notice of this unique situation is not needed. While the message is always available when the driver manually scrolls through the TPMS menu, the message does not continue to illuminate whenever the vehicle is "on" as required by FMVSS No. 138 paragraph S4.4(b)(3).

This functionality has an inconsequential impact on motor vehicle safety. In any situation where all four sensors fail while driving, the warning will always illuminate as required. The failure to activate on subsequent drive cycles is only an issue where all four wheel sensors/signals are missing from the beginning of a given drive cycle. The only situation in which all four wheel sensors would be removed would be where an owner goes to considerable effort to remove all four wheels (for example to replace the

standard wheels with snow tires). In such a situation, the owner would be well aware that the wheels with sensors had been removed, and there would be no need to continually repeat the warning at each vehicle restart.

Similarly, although it is theoretically possible for all four wheel sensors to fail simultaneously, MB is not aware of any such failures in the field. The probability of such a situation occurring is virtually impossible. For example, one single sensor has a less than 100 ppm per year probability of failure. The likelihood of all four sensors failing within the same year is thus less than 0.00000001 ppm (or  $1 \times 10^{-16}$ ). In addition, to create the noncompliance scenario, all four sensors would need to fail at the same time, not just within the same year, thus further reducing the probability even more. A much more likely malfunction scenario would be where one (or in a very unlikely situation two) sensor signal fails in sequence, which would provide the operator with repeated warnings of the need to repair the wheel sensors upon each vehicle restart. In fact, this functionality is identical to the warning system for four missing wheel sensor signals used in Europe and in the rest of the world, where it has been determined to provide an adequate level of warning and motor vehicle safety.

In addition, the TPMS regulations recognize that there are certain circumstances where a TPMS warning may be manually cleared or reset by the owner and removed from the instrument cluster, even though the underlying condition still remains. The situation in subject vehicles is analogous.

Finally, MB believe that as with the absence of flashing discussed above, the subject vehicles display an initial notification of the loss of four wheel sensors that provides significantly more information than the minimum regulatory requirement. Where a dedicated malfunction telltale is used, the regulations allow the vehicle, as a minimum level of compliance, to simply display the abbreviation "TPMS" in yellow with no flashing. In the subject vehicles, rather than display a simple abbreviation, which would require the use of the owner's manual to determine that the message indicated a malfunction (as opposed to a low tire pressure situation, for example), the display specifically states that the "Tire pressure monitor" is "inoperative," and more specifically that "No wheel sensors" are detected. With this enhanced level of information and clarity, it is not necessary for this particular message to repeat upon each vehicle re-start, especially given how

rare this unique situation would be in actual use. For each of these reasons, this technical noncompliance does not represent a "significant safety risk."

In summation, MB believes that the described noncompliance of its vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

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

a. *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.

b. *By hand delivery 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.

c. *Electronically:* by logging onto the Federal Docket Management System (FDMS) Web site at <http://www.regulations.gov/>. Follow the online instructions for submitting comments. Comments may also be faxed to 1-202-493-2251.

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 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.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <http://www.regulations.gov/> by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477-78).

The petition, supporting materials, and all comments received before the close of business on the closing date

indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

**DATES:** Comment closing date: July 27, 2012.

**Authority:** (49 U.S.C. 30118, 30120; Delegations of authority at CFR 1.50 and 501.8)

Issued on: June 20, 2012.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2012-15667 Filed 6-26-12; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Public Input on the Report to Congress on the U.S. and Global Reinsurance Market

**AGENCY:** Departmental Offices, Treasury.  
**ACTION:** Notice and request for comment.

**SUMMARY:** Section 502 the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111-203 (the Dodd-Frank Act), as codified in Section 313(o) of Title 31 of the United States Code, requires the Federal Insurance Office (FIO) to provide a report not later than September 30, 2012, describing the breadth and scope of the global reinsurance market and the critical role such market plays in supporting insurance in the United States. To assist FIO in completing this report, FIO issues this request for comment.

**DATES:** *Comment Due Date:* August 27, 2012. Early submissions are encouraged.

**ADDRESSES:** Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>, in accordance with the instructions. Comments will be available at <http://www.regulations.gov> as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Electronic submissions are encouraged.

Comments may also be mailed to the Department of the Treasury, Federal Insurance Office, 1500 Pennsylvania Avenue NW., Washington, DC 20220. *Additional Instructions.* Please note the number from the "Solicitation for Comment" to which you are providing a response in your comment.

**FOR FURTHER INFORMATION CONTACT:** Michael T. McRaith, Director Federal

Insurance Office, Department of the Treasury, (202) 622-5394 (this is not a toll-free number). Persons who have difficulty hearing or speaking may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Dodd-Frank Act requires FIO to conduct a study describing the breadth and scope of the global reinsurance market and the critical role such market plays in supporting insurance in the United States (31 U.S.C. 313(o)(1)).

##### II. Solicitation for Comments

Commenters are invited to submit views on:

1. The purpose of reinsurance;
2. The breadth and scope of the global reinsurance market;
3. The role that the global reinsurance market plays in supporting insurance in the United States;
4. The effect of domestic and international regulation on reinsurance in the United States;
5. The role and impact of government reinsurance programs; and
6. The coordination of reinsurance supervision nationally and internationally.
7. Any other topics relevant to this report.

**Authority:** Pub. L. 111-203

**Michael T. McRaith,**

*Director, Federal Insurance Office,  
Department of the Treasury.*

[FR Doc. 2012-15685 Filed 6-26-12; 8:45 am]

**BILLING CODE 4810-25-P**

## DEPARTMENT OF THE TREASURY

### Bureau of the Public Debt

#### Proposed Collection: Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently the Bureau of the Public Debt within the Department of the Treasury is soliciting comments concerning the Claim for United States Savings Bonds Not Received.

**DATES:** Written comments should be received on or before August 27, 2012 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Bureau of the Public Debt, Bruce A. Sharp, 200 Third Street A4-A, Parkersburg, WV 26106-1328, or [bruce.sharp@bpd.treas.gov](mailto:bruce.sharp@bpd.treas.gov). The opportunity to make comments online is also available at [www.pracomment.gov](http://www.pracomment.gov).

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies should be directed to Bruce A. Sharp, Bureau of the Public Debt, 200 Third Street A4-A, Parkersburg, WV 26106-1328, (304) 480-8150.

#### SUPPLEMENTARY INFORMATION:

*Title:* Claim for United States Savings Bonds Not Received.

*OMB Number:* 1535-0098.

*Form Number:* PD F 3062-4.

*Abstract:* The information is used to support a request for substitute savings bonds in lieu of savings bonds not received.

*Current Actions:* None.

*Type of Review:* Revision.

*Affected Public:* Individuals or Households.

*Estimated Number of Respondents:* 15,000.

*Estimated Time Per Respondent:* 10 minutes.

*Estimated Total Annual Burden Hours:* 2,500.

*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: June 22, 2012.

**Bruce A. Sharp,**

*Bureau Clearance Officer.*

[FR Doc. 2012-15645 Filed 6-26-12; 8:45 am]

**BILLING CODE 4810-39-P**