

manufactured between May 17, 2012, and February 7, 2013.

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 subject 23,600<sup>2</sup> model year 2013 Subaru XV Crosstrek multipurpose passenger vehicles that Fuji no longer controlled at the time it determined that the noncompliance existed.

**Noncompliance:** Fuji explains that the noncompliance is that, due to a labeling error, the glazing markings on the rear window of the subject vehicles lack the symbol "DOT", the manufacturer's code mark (i.e. 44), and the AS3 code mark and thus do not conform to the requirements of 49 CFR 571.205 paragraphs S6.1 and S6.2.

**Rule Text:** Paragraphs S6.1 and S6.2 of FMVSS No. 205 requires in pertinent part:

S6.1 A prime glazing material manufacturer must certify, in accordance with 49 U.S.C. 30115, each piece of glazing material to which this standard applies that is designed—

(a) As a component of any specific motor vehicle or camper; or

(b) To be cut into components for use in motor vehicles or items of motor vehicle equipment.

S6.2 A prime glazing manufacturer certifies its glazing by adding to the marks required by section 7 of ANSI Z26.1–1996, in letters and numerals of the same size, the symbol "DOT" and a manufacturer's code mark that NHTSA assigns to the manufacturer.

### Summary of Fuji's Analysis and Arguments

Fuji explains that while the noncompliant vehicle's rear window glazing lack the following markings: The symbol "DOT", the manufacturer's code mark (i.e. 44) and the AS3 code mark; on the glazing of the rear window as required by FMVSS No. 205, the rear glazing of the affected vehicles

<sup>2</sup> Fuji's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt Fuji as a motor vehicle manufacturer from the notification and recall responsibilities of 49 CFR Part 573 for the 23,600 affected vehicles. However, a decision on this petition will not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Fuji notified them that the subject noncompliance existed.

otherwise meet or exceed all other marking and performance requirements as required by FMVSS No. 205 and ANSI Z26.1–1996.

Fuji has additionally informed NHTSA that it has corrected future production and that all other glazing labeling information is correct.

Fuji also expressed its belief that NHTSA has previously granted similar petitions involving the omission of FMVSS No. 205 markings.

In summation, Fuji believes that the described noncompliance of its vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt it 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](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](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.

**Comment Closing Date:** March 27, 2013.

**Authority:** 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.95 and 501.8.

Issued on: February 15, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2013–04171 Filed 2–22–13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0073; Notice 2]

### Guizhou Tyre Corporation; Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of petition.

**SUMMARY:** GTC North America, Inc., on behalf of Guizhou Tyre I/E Co. LTD (collectively referred to as "GTC") has determined that certain Samson and Advance brand ST trailer Tires, do not fully comply with paragraph S6.5(j) of Federal Motor Vehicle Safety Standard (FMVSS) No. 119, *New pneumatic tires for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds) and motorcycles*. GTC has filed an appropriate report dated March 22, 2012, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, GTC 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. Notice of receipt of the petition was published, with a 30-day public

comment period, on June 25, 2012 in the **Federal Register** (77 FR 37957). 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-2012-0073."

For further information on this decision contact Mr. Jack Chern, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-0661, facsimile (202) 366-7002.

**Tires involved:** Affected are approximately 4,291 size ST235/ 85R16/ 14 ply Samson and Advance brand ST Trailer Tires manufactured from December 4, 2011 through March 31, 2012.

**Noncompliance:** GTC explains that the noncompliance is that, due to a mold labeling error, the sidewall marking on the tires incorrectly identifies the load range as "F" when in fact it should be "G".

#### Summary of GTS's Analysis and Arguments

GTC states that while the tire sidewall labeling incorrectly identifies the load range as "F" when in fact it should be identified as "G" it does not pose a safety issue because if a consumer followed the load range "F" designation they would actually fall below the actual recommended load carrying capacity. Since the tire load range designation "F" falls below the actual recommended load carrying capacity, the tires will perform without incident causing no safety issue.

GTC also stated that all other required sidewall markings are present and correct.

GTC has additionally informed NHTSA that it has stopped production of the subject tires, is correcting the tire molds so that the subject noncompliance does not occur in future production, and has notified dealers to discontinue selling the tires.

In summation, GTC believes that the described noncompliance of its tires 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.

#### NHTSA Decision

The primary safety purpose of requiring the load range label on a motor vehicle tire is to ensure that the

end-users can select a tire load range appropriate for their vehicles. The absence of the vehicle label specifying the tire load range would likely result in an improper tire selection by the tire dealer or vehicle owner. In this case, GTC understated the load carrying capability of the tire. GTC's tire, in effect, is has more load carrying capability than the label would indicate to the end-user. The agency agrees with GTC's rational that a vehicle equipped with the subject tires and loaded per the incorrect maximum load rating would not cause an unsafe condition, because the end-user would carry a lighter load than the load for which the tires are designed.

In consideration of the foregoing, NHTSA has decided that GTC has met its burden of persuasion that the FMVSS No. 119 noncompliance in the tires identified in GTC's Noncompliance Information Report is inconsequential to motor vehicle safety. Accordingly, GTC's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

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, this decision only applies to the tires<sup>1</sup> that GTC no longer controlled at the time that it determined that a noncompliance existed in the subject vehicles.

**Authority:** (49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8).

Issued on: February 11, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

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<sup>1</sup> GTC's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt GTC as a manufacturer from the notification and recall responsibilities of 49 CFR Part 573 for the affected tires. However, the decision on this petition does not relieve distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after GTC notified them that the subject noncompliance existed.

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for EFTPS Individual Enrollment with Third Party Authorization Form

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**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 IRS is soliciting comments concerning EFTPS Individual Enrollment with Third Party Authorization Form.

**DATES:** Written comments should be received on or before April 26, 2013 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of this form should be directed to Martha R. Brinson, at (202) 622-3869, or at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet, at [Martha.R.Brinson@irs.gov](mailto:Martha.R.Brinson@irs.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** EFTPS Individual Enrollment with Third Party Authorization Form.

**OMB Number:** 1545-2077.

**Form Name:** EFTPS Individual Enrollment with Third Party Authorization Form.

**Abstract:** The information derived from the EFTPS Individual Enrollment with Third Party Authorization Form will allow individual taxpayers to authorize a Third Party to pay their federal taxes on their behalf using the Electronic Federal Tax Payment System (EFTPS).

**Current Actions:** There are no changes being made to this form at this time.

**Type of Review:** Extension of currently approved collection.

**Affected Public:** Business or other for-profit.

**Estimated Number of Respondents:** 1,000.

**Estimated Average Time Per Respondent:** 10 minutes.

**Estimated Total Annual Burden Hours:** 167 hrs.